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JOURNAL

OF

THE COUNCIL

OF THE

FIFTH LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF IOWA,

BEGUN AND HELD AT IOWA CITY, ON MONDAY THE FIFTH DAY OF DECEMBER, ONE THOUSAND EIGHT HUNDRED AND FORTY TWO.

DAVENPORT:
ALFRED SANDERS, PRINTER.

1843.

JOURNAL

OF

THE COUNCIL

OF THE

LEGISLATIVE ASSEMBLY OF IOWA TERRITORY,

Begun and held at Iowa City, on Monday the Fifth day of December, A. D. 1842, by virtue of an Act of the Legislative Assembly, approved Jan. 13, 1841.

At 12 o'clock M., the Council was called to order by James W. Woods, Secretary, when it appeared, that the following named members had filed their certificates of election, and answering to the call of the Secretary, were severally sworn by Wm. L. Gilbert, Esq.

From the County of Lee—Robert M. G. Patterson, and William Patterson.

From the County of Van Buren—John D. Elbert, and James H. Jenkins.

From the County of Des Moines—Shepherd Leffler.

From the County of Henry—William H. Wallace.

From the County of Jefferson—Joseph B. Teas.

From the Counties of Louisa and Washington—Francis Springer.

From the Counties of Muscatine and Johnson—Pleasant Harris.

From the Counties of Cedar, Jones and Linn—John P. Cook.

From the Counties of Scott and Clinton—Robert Christie.

From the Counties of Dubuque, Jackson, Delaware and Clayton—Thomas Cox and Francis Gehon.

On motion of Mr. Springer,

William H. Wallace was appointed President, *pro tem.*

On motion of Mr. Springer,

A committee of elections consisting of five members, were appointed to examine the credentials of members.

The President *pro tem.* appointed Messrs. Springer, Cox, Cook, Teas and W. Patterson said committee.

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On motion of Mr. Elbert,
John Lewis was appointed Sergeant-at-Arms, *pro tem.*
Mr. Springer from the committee appointed to examine the credentials of members reported,
That they had attended to the duties assigned them and found the credentials of all the members to be correct, and satisfactory, and asked to be discharged.
The report was concurred in and the committee discharged.
On motion of Mr. Springer,
The Council adjourned until to-morrow morning, at 10 o'clock.

Tuesday Morning, December 6, 1842.

On motion of Mr. Springer,
The Council proceeded to the election of President.
Mr. Leffler nominated Joseph B. Teas,
Messrs. Cook and Cox were appointed tellers.
The votes having been taken and counted, stood as follows:

Joseph B. Teas received		5 votes.
Francis Springer	"	5 "
Blank	"	2 "

No one having received a majority of all the votes given, a choice was not made.
Mr. Springer moved a call of the Council, which was had when it appeared that Mr. Jenkins was absent.
On motion a further call of the Council was dispensed with.
On motion of Mr. Cox,
The election of President was postponed until 3 o'clock, P. M.
On motion of Mr. Elbert, ordered, That the rules for the government of the Council of the last session be adopted for the temporary government of this Council, aud until new rules are adopted.
On motion,
The Council adjourned until three o'clock P. M.

3 O'CLOCK, P. M.

On motion of Mr. Cox,

The Council proceeded to the election of President.

Messrs. Christie and Gehon acting as tellers.

The votes having been taken and counted stood as follows:

Joseph B. Teas received	6	votes.
Francis Springer "	4	"
Blank "	3	"

No one having received a majority of all the votes given, a choice was not made.

The Council then proceeed to a third ballotting.

The votes being taken and counted it appeared that,

Joseph B. Teas received	6	votes.
Francis Springer "	4	"
Blank "	3	"

No one having received a majority of all the votes given, a choice was not made.

A motion was made by Mr. Cook, to postpone the election of President until next Tuesday.

A motion was made by

Mr. Cox to amend said motion, by inserting to-morrow, which was decided in the affirmative, the question then recurring on said motion as amended.

Mr. Springer called the yeas and nays, which being taken were as follows:

YEAS—Messrs. Christie, Cox, Gehon, Harris, Leffler, William Patterson, and Teas,—8.

NAYS—Messrs. Cook, Elbert, Jenkins, Springer and Wallace—5.

So said motion as amended was carried.

On motion of

Mr. Springer, ordered that a committee of three be appointed to prepare rules for the government of the Council.

Messrs. Springer, Leffler and Cox were appointed said committee.

On motion the Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, December 7, 1842.

Messrs. Robertson and Hepner a committee from the House of Representatives waited on the Council and informed them, that the House had organized and were ready to proceed to business.

On motion of Mr. Cox,

The Council proceeded to the election of President,

Messrs. Wm. Patterson and Leffler acting as tellers.

The votes having been taken and counted stood as follows:

John D. Elbert	received	5 votes.
Joseph B. Teas	"	5 "
Thomas Cox	"	1 "
Blank	"	2 "

No one having received a majority of all the votes given, a choice was not made.

The Council then proceeded to a fourth balloting.

The votes being taken and counted, it appeared that

John D. Elbert	received	6 votes.
Joseph B. Teas	"	4 "
Blank	"	3 "

No one having received a majority of all the votes given, there was no choice made.

A motion was made by

Mr. Springer that the Council do now proceed to the election of a Secretary.

The question was lost.

Mr. Gehon withdrew the name of Joseph B. Teas, and nominated Thomas Cox, for President.

The Council then proceeded to a fifth balloting.

The votes being taken and counted were as follows:

John D. Elbert	received	7 votes.
Thomas Cox	"	4 "
William H. Wallace	"	1 "
Blank		1 "

Mr. Elbert having received a majority of all the votes given, was declared duly elected President of the Council, and was conducted to the Chair by Messrs. Gehon and Springer, when he returned thanks for the honor conferred upon him.

On motion of Wm. Patterson the Council adjourned until two o'clock P. M.

2 O'CLOCK, P. M.

On motion of Mr. Wallace,
The Council proceeded to the election of a Secretary.
Mr. Springer nominated Joseph T. Fales.
Messrs. Cox and Wm. Patterson were appointed tellers.
The votes having been taken and counted, stood as follows:

Joseph T. Fales	received	5 votes.
James W. Woods	"	4 "
Blank	"	3 "
C. Olney	"	1 "

No one having a majority of all the votes given, a choice was not made.
The Council then proceeded to a second balloting.
The votes being taken and counted, stood as follows:

Joseph T. Fales	received	6 votes.
James W. Woods	"	5 "
C. Olney	"	1 "
Blank	"	1 "

No one having received a majority of all the votes given, a choice was not made.
The Council then proceeded to a third balloting.
The votes having been taken and counted stood as follows:

Joseph T. Fales	received	6 votes.
James W. Woods	"	4 "
C. Olney	"	1 "
T. S. Parvin	"	1 "
Blank	"	1 "

No one having received a majority of all the votes given, a choice was not made.
The Council then proceeded to a fourth balloting, the votes having been taken and counted, stood as follows:

Joseph T. Fales	received	8 votes.
James W. Woods	"	1 "
T. S. Parvin	"	3 "
Blank	"	1 "

Joseph T. Fales having received a majority of all the votes given was declared duly elected Secretary.
On motion of Mr. Springer,
The Council proceeded to the election of Sergeant-at-arms.
Messrs. Wallace and Cook acting as tellers.
Mr. Wm. Patterson nominated William A. Donnell.
Mr. Cox nominated James L. Kirkpatrick.

Mr. Jenkins nominated John Lewis.

The votes having been taken and counted, stood as follows:

William A. Donnell received	9	votes.
James L. Kirkpatrick "	3	"
John Lewis "	1	"

William A. Donnells having received a majority of all the votes given was duly declared elected Sergeant-at-Arms.

On motion of Mr. Springer,

The persons elected as officers came forward and were severally sworn and entered upon the discharge of their duties.

On motion of Mr. Gehon,

Ordered, That a committee of two be appointed, to wait upoh the House of Representatives and inform them that the Council is now organized and ready to proceed to business.

Messrs. Gehon and Wallace were appointed said committee.

On motion of Mr. Springer,

Resolved, That a committee of two be appointed, to act in conjunction with a similar committee, to be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the two Houses are now organized, and ready to receive any communications, which he may wish to make to them.

Messrs. Springer and Cook were appointed said committee.

On motion of Mr. Cox,

Resolved, That the following be the Standing Committees of the Council.

On the Judiciary, on Finance, on Internal Improvement, on Schools, on Military Affairs, on Roads, Incorporations, on Territorial Affairs, on Public Buildings, on Elections, on Engrossed Bills, on Counties and Township Boundaries, on Agriculture, on Claims, on Expenditures, on Enrolled Bills.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT: The House of Representatives have appointed Messrs. Wilson and Folkner, a committee on the part of the House, to act with a corresponding committee appointed on the part of the Council, to wait on the Governor, and inform him that the two Houses are now organized, and ready to receive any communications, he may have to make them.

And then he withdrew.

Mr. Springer from the joint committee appointed to wait on the Governor, reported, that they had performed that duty, and that the Governor informed them, that he would communicate with the two Houses in writing immediately. The Governor's private Secretary was announced, who handed in the Governor's annual Message. Which was read at the Clerk's table as follows:

Fellow Citizens of the Council,
and of the House of Representatives:

Since the last annual meeting of the Legislative Assembly, the people of the Territory have continued to enjoy the blessings of health and peace, and industry has been rewarded with abundance. Let us, therefore, in re-

newing our efforts to promote the general welfare, not forget to acknowledge, with humility, our dependence upon the Most High, and to implore a continuance of his protection and favor.

Our population has continued steadily to increase, and the progress of improvement, in the limited extent of territory open to settlement, has been most cheering.

By a treaty recently made with the Sac and Fox Indians, under the direction of the President, they have ceded to the United States all their remaining claims to land in this Territory, embracing a tract of country estimated to contain ten millions of acres, a very large proportion of which is unsurpassed in fertility and beauty by any in the world—abounding in navigable streams of the purest water, and offering inducements to its settlement at least equal to any portion of the great valley of the Mississippi. If this treaty should meet the approbation of the President and Senate, the immediate influx of population into the country acquired by it will, in order to give effect to the laws and ensure the due administration of justice, render the organization of additional counties necessary.

Under the provisions of the Act of the last session "to provide for the expression of the opinion of the people of the Territory upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa," polls were opened in all the counties, at the time of holding the general election for the members of the Council and House of Representatives, and the question of "Convention" or "No Convention" submitted to the voters. Returns of the result have been made to the Secretary of the Territory, (with the exception of a single precinct in one of the counties,) which show a majority in every county, and a large aggregate majority, against a Convention.

The progress of the edifice for the accommodation of the Legislature and the Public Offices at the Seat of Government, has been quite as rapid and satisfactory as the means placed at the disposal of the Territorial Agent and Superintendent could have justified us in expecting. Whether the provision already made will be sufficient for the completion of the building, you will be enabled to determine after the reports of the Agent and Superintendent shall be submitted to you.

The further progress of the Penitentiary buildings is arrested by the want of means to carry on the work; and, although Congress has appropriated money to pay the debts heretofore contracted for labor performed and materials furnished, we are left to regret the failure to supply the means of completing it—and to regret it the more deeply, because, while our citizens, by heir enterprize and industry, are daily exchanging the value and availability of the public domain within our Territorial limits, it forms so large a portion of the great source of revenue, available to our more fortunate neighbors of the States, but prohibited to us, that, to raise revenue for such purposes by a direct tax upon those who have obtained a right to small portions of land, by the sacrifice of all their present enjoyments and many of the comforts of a more advanced stage of improvement, would be unjust and oppressive—struggling, as they are, amidst the exhaustion of their pecuni-

ary means thus produced, to erect shelters for their families, and bring into cultivation a sufficient portion of the soil for their support. Such a tax, in addition to the contributions demanded of them for indispensable county purposes, would operate with a degree of severity which, it is feared, the Representatives of the States in Congress do not justly appreciate. Our population, like that of most new countries, is made up, in a great degree, of enterprizing and industrious individuals with young and dependent families, who, urged by the hope of bettering their condition, press forward to the frontier with very limited means; and all the money they bring with them, as well as the first products of their labor, is immediately absorbed in the purchase of small portions of land, and in efforts to render it available for their subsistence. None but those who have witnessed can justly appreciate the privations, and, in many instances, the actual suffering, submitted to by the enterprizing and hard-working inhabitants of a frontier settlement, for the procurement of permanent homes, in even the smallest legal subdivision of the public land. To such a population, standing in the front rank of the general defence, in case of war with our savage neighbors, extending the march of civilization into the wilderness, increasing the population and resources of the Republic, and replenishing the national treasury, by the application of all their resources to the purchase of the public lands, (which but for their enterprize and industry would be comparatively valueless,) a just and liberal government ought not to dole out its aid with a parsimonious hand.

Our criminal laws have been enacted with a view to the reformation of offenders. By the substitution of confinement and labor for punishments of a sterner character, their due administration is inseparably connected with the use of the Penitentiary; and, in the absence of the hoped-for aid of the General Government to complete it, I commend to your earnest consideration whether, under existing circumstances, any means, not absolutely oppressive to our fellow citizens, can be devised for carrying on and so far perfecting the work as to render it more extensively available for the purposes for which it was commenced.

In my last annual message I took occasion to call the attention of the Legislature to the inefficiency of the law to prohibit and punish the sale of intoxicating liquors to our Indian neighbors; but no further legislation on the subject was then deemed necessary, and the offence has continued to be perpetuated, with very few exceptions, with entire impunity, and is increasing in frequency. I deem it, therefore, an imperative duty again to invoke your deliberate consideration of the matter. The crime not only involves a breach of positive law, and a most pernicious and degrading disregard of the principles of morality and religion, but tends to produce collisions between our frontier inhabitants and the Indians, affecting life and the destruction of property, and may lead to conflicts of a more extensive and dangerous character, without some more effectual means of suppressing it than at present exist can be devised.

No serious effort seems to have been made in any part of the Territory to carry into operation the plan of public instruction provided for by the

existing laws; and it is to be feared that until the *permission* to organize township schools is rendered a positive duty, enforced by proper penalities for neglect, the laws now in force will remain inoperative.

The almost total failure of the officers of our militia to make returns of the numerical strength and equipment of their respective commands as required by law, puts it out of the power of the War Department of the General Government, under the existing laws of the United States, to make such a distribution of arms to the Territory as, with proper returns and reports, we should be entitled to; and such is the universality of this gross negligence of duty, that it seems to leave the executive authority no means of correcting the evil but by a resort to the onerous duty of a general dismission of delinquents from command, leaving it doubtful whether others could be found to fill their places who would perform the duties with more efficiency. I would, therefore, respectfully suggest for your consideration the propriety of imposing pecuniary penalties for this description of official delinquency; and (as it would be difficult, if not impossible, under existing circumstances, to constitute a military court, in which the judges and the accused would not be found equally in default,) to commit the enforcement of such penalties to the civil tribunals.

The experience of another year confirms the opinion expressed at the close of the last, of the vast importance to the people of the west of the removal of the obstructions to the safe navigation of the Mississippi and its principal tributaries. The destruction of property (to say nothing of the loss of life) occasioned by these obstructions, in the last ten or twelve months, is believed to be equal in amount to the sum necessary for their removal; but, as a work of so much magnitude and general importance can only be effected by the concentrated action of the nation, through its Representatives in Congress, we must endeavor to console ourselves with the hope that the time cannot be very remote when union and concert among the Representatives of the people interested in the navigation of the western rivers will convince their brethren of the Atlantic States that *their interest* will be best consulted by allowing to us a just participation in the benefits to be derived from the application of the national treasure to the protection and security of commerce. The west has a right to demand such a participation, and, with union and concert among its representatives, the power to obtain it. Iowa, it is true, has no voice in the councils of the nation, but her citizens are contributors to the support of its government, and have a right to expect equal benefits from its action, which it can hardly be alleged they enjoy, while hundreds of thousands of dollars worth of their property is annually destroyed upon one of the largest rivers in the world, for the want of an expenditure of a much less sum than has been appropriated from the national treasury for the construction of a single breakwater or artificial harbor in the Delaware river, *for the protection of commerce.* Whether it is worth while further to press this subject upon the attention of the *present* Congress by way of memorial or petition, is respectfully submitted to your consideration.

The restrictions imposed by an act of the last session of Congress upon the expenditure of the appropriations for the support of the Territorial Governments, as well as the sum appropriated for this Territory, indicates a necessity for retrenchment in the usual expenses incident to your session. it is my duty, therefore, to recommend despatch in the performance of your legislative duties and economy in the expenditure of the fund appropriated for the expenses of your session.

It remains only for me to assure you of my readiness to co-operate with you in such of your acts as may require executive interposition.

I am, respectfully,

Your obedient servant,

JOHN CHAMBERS.

DECEMBER 7th, 1842.

On motion of Mr. Springer,

Ordered, That the Message be laid on the table, and that one thousand copies of the same, be printed, for the Council.

On motion of Mr. Leffler,

Resolved, That James W. Woods, be allowed the sum of nine dollars, for three days services as Secretary of the Council, and the sum of twenty-five dollars for mileage, in all the sum of thirty-four dollars, to be paid by the Secretary of the Territory, out of any funds not heretofore appropriated.

On motion of Mr. Springer,

Resolved, That John Lewis be allowed the sum of nine dollars, for three days services as Sergeant-at-Arms, *pro. tem.* of the Council.

By virtue of an act of the Legislative Assembly, approved Feb. 17, 1842.

The Secretary with the approbation of the President, appointed Samuel K. Helmick Assistant Secretary, and Charles Madera, Engrossing Clerk.

The Sergeant-at-Arms appointed Bushnell Austin, Fireman and J. F. Chambers, Messenger.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, DECEMBER 8, 1842.

The President announced the following named gentlemen, the Standing Committees of the Council:

On the Judiciary,—Messrs. Springer, Leffler and Wallace.
Finance,—Messrs. Wallace, Harris and Christie.
Internal Improvements,—Messrs. Gehon, Jenkins and Harris.
Schools,—Messrs. Leffler, Gehon and Springer.
Enrollments,—Messrs. Cook, Leffler and Teas.
Military Affairs,—Messrs. Cox, R. M. G. Patterson and Cook.
Roads,—Messrs. Harris, Cox and Jenkins.
Incorporations,—Messrs. R. M. G. Patterson, Wallace and Teas.
Territorial Affairs,—Messrs. Wm. Patterson, Cox and Wallace.
Public Buildings,—Messrs. Teas, Harris and Wallace.
Elections,—Messrs. Christie, Springer and Jenkins.
Counties and Township Boundaries,—Messrs. Wm. Patterson, Leffler and Gehon.
Agriculture,—Messrs. Jenkins, Wm. Patterson and Cox.
Engrossed Bills,—Messrs. Wallace, Cook and Leffler.
Claims,—Messrs. Cook, R. M. G. Patterson and Gehon.
Expenditures,—Messrs. Leffler, Christie and Jenkins.

On motion of Mr. Wallace,

Resolved, That the Secretary be directed to make arrangements with the Post Master of this City, for the payment of all postage, on letters and papers, sent to and from the Council, during the present Session; and report the same to the Council.

Mr. Springer offered the following:

Resolved, That the editor of the newspaper, published in this City, be employed to do the incidental printing of the Council, until otherwise ordered.

A motion was made by Mr. Wallace, to fill the blank by inserting "Iowa Standard," pending which,

On motion of Mr. Leffler,

Ordered, That the resolution lie on the table, and a committee of three be appointed to establish the rates of printing.

Messrs. Leffler, Wallace and Springer were appointed said committee.

On motion of Mr. Springer,

Resolved, That a committee of three be appointed, to act in conjunction with a similar committee, to be appointed on the part of the House of Representatives, to frame the necessary rules, for the government of the intercourse between the two Houses; Messrs. Cook and Gehon were appointed said committee.

Mr. Wallace offered the following:

Resolved, That the Secretary furnish each member of the Council with Copies weekly of such newspapers published in this City as they may direct.

On motion of Mr. Cox, the blank was filled with the word twenty.

The question then being on the adoption of the resolution as amended, it was decided in the affirmative.

Mr. Springer gave notice, that he would on to-morrow, or some future day, ask leave to introduce a bill, for changing the times of holding Courts in the Second Judicial District.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Friday Morning, December 9, 1842.

Mr. Teas offered the following:

Resolved, That a Select Committee of be appointed on the part of the Council, as a committee of revision, to act with a similar committee, to be appointed by the House of Representatives, to revise and compile the laws of this Territory.

A motion was made by Mr. Wallace, that said Resolution do lie upon the table.

And the question being put, it was determined in the affirmative.

On motion of Mr. Teas,

Resolved, That the Standing Committee on Territorial Affairs, be instructed to prepare a Memorial to the Congress of the United States, urging the propriety and necessity of running and marking the temporary line, separating the Indians and the Whites, at the earliest day practicable, in the event the late Treaty with the Sac and Fox Indians may be ratified.

Mr. Springer, from the Select Committee appointed to prepare rules for the government of the Council, reported the rules of the last Session, with sundry amendments, which were laid on the table.

On motion of Mr. Harris,

Ordered, That the Governor's Message be taken from the table.

It was then on motion of Mr. Harris,

Resolved, That so much of the Message, as relates to the recent Treaty with the Sac and Fox Indians, and to the organization of additional counties, be referred to the committee on Territorial Affairs.

And, that so much, as relates to Public Buildings, be referred to the committee on Public Buildings.

And, that so much, as relates to the Penitentiary, be referred to the committee on Public Buildings.

And, that so much, as relates to the Laws, prohibiting the sale of intoxicating Liquors to the Indians, be referred to the committee on the Judiciary.

And, that so much, as relates to public instruction, be referred to the committe on Schools.

And, that so much, as relates to the Militia, be referred to the committee on Military Affairs.

And, that so much, as relates to the navigation of the Mississippi and its tributaries, be referred to the committee on Internal Improvements.

A motion was made by Mr. Cook, to reconsider the vote on the resolution, which was decided in the affirmative.

A motion was then made by Mr. Cook, to amend the resolution so as to refer that part of the Governor's Message which relates to Military Affairs, to a select committee of one from each Electoral District, which was decided in the affirmative.

The question then recurred on the adoption of the resolution as amended, and was decided in the affirmative.

Messrs. Cook, Wm. Patterson, Jenkins, Leffler, Wallace, Teas, Springer, Harris, Christie and Cox, were appointed the select committee.

Mr. Wm. Patterson presented the report of the Director of the Penitentiary, which was read. Ordered, that the report do lie upon the table, and that five hundred copies of the same be printed.

Mr. Cook gave notice, that he would on some future day, introduce a bill, to regulate the mode of petitioning the Legislative Assembly.

A message from the House of Representatives, by Mr. Wallace their Chief Clerk.

Mr. President: I am directed to inform the Council, that the House have appointed Messrs. Robertson, Hepner and Lewis, a committee on the part of the House, to act with a similar committee appointed by the Council, to prepare rules for the government of the intercourse between the two Houses.

And then he withdrew.

On motion of Mr. Springer,

The Council adjourned until Monday morning, 10 o'clock.

Monday Morning, December 12, 1842.

Mr. Gehon presented the petition of sundry citizens of Linn and Delaware counties, praying the establishment of a Territorial road, leading from Marion in Linn county to Leroy Jackson's in Delaware county, thence to O. A. Omstead's Mill, or to intersect the Delaware and Dubuque road at that place; referred to the committee on roads.

Mr. Gehon presented a petition from sundry citizens of Buchanan, Delaware and Dubuque counties praying the establishment of a Territorial road, leading from Bennets's Mills on the Waubsepinecon in Buchanan county by the county seat of Delaware county to the city of Dubuque; referred to the committee on roads.

Mr. Wm. Patterson presented the petition of sundry citizens of Lee county, praying for a review of that part of the Territorial road, leading from West Point in Lee county to Salem, in Henry county, commencing at Benjamin Graham's and to continue on or near said road four miles; referred to the committee on roads.

Mr. Teas, presented the petition of sundry citizens of Jefferson and Washington counties, asking the Legislature to grant to John Troxell, of the county of Jefferson, a charter to build a dam across the north fork of Skunk River, at a point known as the Cedar bluffs; referred to the committee on incorporations.

On motion of Mr. Harris,

Resolved, That the Committee on the Judiciary, be instructed to inquire into the expediency, of so amending the criminal laws, as to make it discretionary with Justices of the Peace and Grand Jurors, to require security, from persons making complaints before them, for a violation of said laws and to report by bill or otherwise.

On motion of Mr. Cox,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency, of so revising the Justices' Law, as to bring it all under one enactment.

Mr. Leffler from the select committee on printing, offered the following:

Resolved, That for incidental printing, including bills, reports, messages and resolutions of the Council, for the Session of 1842–3, the printers employed, be allowed the rates established, by a joint resolution of Congress, in the year 1819, together with the sum of fifty per cent in addition thereto.

On motion of Mr. Springer, the resolution was laid on the table until tomorrow.

The President laid before the Council, the report of the Superintendent of Public Buildings, which was read, and on motion of Mr. Springer, referred to the committee on Public Buildings.

The following communication was read:

COUNCIL CHAMBER,
Dec. 12*th.*, 1842.

To the Honorable J. D. ELBERT,
President of the Council.

Sir: The undersigned, would respectfully inform the Council, that the necessary arrangement has been made with the Post Master of this City for the payment of all postage on letters and papers sent to and from the Council, during the present Session.

I have the honor to be
Yours, very respectfully,
JOS. T. FALES,
Secretary.

The President laid before the Council the report of the Territorial Agent, which was read.

On motion of Mr. Cox, Ordered, That the report be laid on the table, subject to the order of the Council.

On motion of Mr. Jenkins,

The Council adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M.

Mr. Cox moved a call of the Council, which was had; and the roll being called, those members who failed to answer to their names, were Messrs. Gehon, Leffler, Springer and Wallace.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time, Messrs. Gehon, Leffler and Wallace appearing, a further call of the Council was, on motion suspended.

A motion was made by Mr. Teas to take from the table the resolution in relation to the revision of the Laws, which was decided in the affirmative. The resolution was then on motion of Mr. Teas referred to the committe on the judiciary.

Mr. Springer from the joint committee appointed to prepare rules for the government of the intercourse between the two Houses made the following report:

The committee appointed by the Council to act in conjunction with a similar committee on the part of the House of Representatives in framing rules for the government of the intercourse between the two Houses, would respectfully report, that they have met in conference with the committee on the part of the House of Representatives, and that said committees have agreed to recommend to their respective Houses the adoption of the joint rules adopted at the last Session of the Legislative Session for the government of the intercourse between the two Houses. The report was concurred in.

Mr. Harris from the committee on roads, reported No. 1 C. F. A bill to

relocate a part of the Territorial Road, leading from West Point in Linn county, to Salem in Henry county, which was read a first time.

On motion of Mr. Springer,

Ordered, That the report of the committee appointed to prepare rules for the government of the Council, be taken from the table.

On motion of Mr. Cox the Council resolved itself in committee of the whole, for the consideration of said rules.

After some time spent therein Mr. President resumed the Chair, and Mr. Cox reported that the committee had, according to order had said rules under consideration, and directed him to report the same back to the Council with sundry amendments; in which the Council concurred.

On motion of Mr. Cook,

Ordered, That the Secretary be instructed to have 50 copies of the standing rules printed.

On motion of Mr. Cox, the Council adjourned until to-morrow morning 10 o'clock.

Tuesday Morning, December 13, 1842.

The President laid before the Council the Report of the Librarian, which was read.

On motion of Mr. Cook,

Ordered, That said report do lie upon the table, subject to the order of the Council.

The President laid before the Council the following letter, which was read:

Iowa City,
Dec. 13th, 1842.

To the Honorable President of the Council:

Sir:—I am directed by a vote of the Iowa City Washingtonian Temperance Society, through you, to invite the members of the Honorable Council to favor us with their presence at the next meeting of the Society, which will be held to-morrow evening at the M. P. Church, at 6½ o'clock.

Your ob't. servant,
SILAS FOSTER,
C'g. Sec'y. I. C. W. T. S.

The following resolution being the order of the day was taken up:

Resolved, That for incidental printing, including bills, reports, messages and resolutions of the Council, for the Session of 1842–3 the printers em-

ployed, be allowed the rates established by a joint resolution of Congress in the year 1819, together with the sum of fifty per cent in addition thereto.

A motion was made by Mr. Teas, to amend the resolution by striking out the words "together with the sum of fifty per cent in addition thereto."

And the question being put was determined in the negative, yeas 2, nays 11.

The yeas and nays being desired by Mr. Teas, those who voted in the affirmative were Messrs. Jenkins and Teas.

Those who voted in the negative were Messrs. Christie, Cox, Cook, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Wallace and Elbert President.

The question then recurring on the adoption of the resolution and being put, was decided in the affirmative.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have adopted the joint rules reported by the committee to draft rules to regulate the intercourse between the two Houses.

And then he withdrew.

No. 1, C. F. A bill to relocate a part of the Territorial Road leading from West Point in Lee county, to Salem in Henry county, was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That the bill be engrossed and read a third time to-morrow.

On motion of Mr. Springer,

Ordered, That the resolution authorizing the employment of a printer to do the incidental printing of the Council for the present Session, be taken from the table.

A motion was made by Mr. Springer, that the blank be filled with the words "Iowa Capitol Reporter."

Which was agreed to.

The question then recurring on the adoption of the resolution as amended, was determined in the affirmative.

Mr. Cook on leave, introduced No. 2, C. F. A bill to regulate the mode of petitioning the Legislative Assembly in certain cases, which was read a first time.

On motion of Mr. Wm. Patterson,

The Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, December 14, 1842.

Mr. Teas offered the following:

Resolved, That a committee of three be appointed to draft a Memorial to the President of the United States, asking the postponement of the sales of the public lands now offered for sale in the Fairfield and Dubuque Land Districts.

On motion of Mr. Cox,

Ordered, That said resolution do lie upon the table, subject to the order of the Council.

Mr. Springer from the committee on the Judiciary, to which was referred a resolution, to inquire into the "expediency of amending the criminal laws, so as to make it discretionary with Justices of the Peace and Grand Jurors, to require security from persons making complaints before them, for a violation of said laws," reported that they deemed it inexpedient to make the amendments, suggested in the said resolution, and asked to be discharged from the further consideration of the subject.

The report was concurred in.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have passed No. 5, H. R. file. A joint resolution providing for the appointment of a joint committee to receive proposals from the two presses of the City for the necessary printing, &c., and have appointed Messrs. Walworth, Lewis and McMillan said committee on the part of the House. In which the concurrence of the Council is requested.

And then he withdrew.

Mr. Wallace from the committee on engrossed bills, reported No. 1, C. F. as correctly engrossed.

No. 2, C. F. A bill to regulate the mode of petitioning the Legislative Assembly in certain cases, was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to a select committee. Messrs. Cook, Wallace and Wm. Patterson were appointed said committee.

No. 1, C. F. A bill to relocate a part of the Territorial Road, leading from West Point in Lee county, to Salem in Henry county, was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 5, H. R. file. Joint resolution providing for the appointment of a joint committee to wait on the proprietors of the two political presses of this City, to receive proposals for doing such printing as may be deemed necessary, was read a first time.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, December 15, 1842.

Mr. Harris presented the petition of sundry Journeymen printers of Iowa City, praying, That the prices of printing may not be reduced, as proposed in the resolution in regard to the incidental printing adopted by the Council, which was read and laid on the table.

Mr. Cox offered the following:

Resolved, That the committee on Incorporations be instructed to inquire into the expediency of granting one or more of the out lots of this City, to the citizens for a burial ground, and report by bill or otherwise.

A motion was made by Mr. Springer, to amend said resolution, by striking out the word "Incorporation" and inserting Territorial Affairs.

The amendment was agreed to.

The question then recurring on the resolution as amended, it was adopted.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have passed without amendment No. 1, C. F. An act to relocate a part of the Territorial Road, leading from West Point in Lee county, to Salem in Henry county.

Also, No. 1, H. R. file. "A joint resolution relative to a revision of the laws," and have appointed Messrs. Walworth, McMillan and Rogers, a committee on the part of the House, in compliance with said resolution.

And then he withdrew.

Mr. Wm. Patterson offered the following:

Resolved, That the Rev. Mr. Hummer and the Rev. Mr. Sherwell have the privilege of using the Council Chamber for Divine Service every alternate Sabbath during the present Session of the Legislature, unless otherwise ordered.

A motion was made by Mr. Springer, that said resolution lie upon the table. The motion was lost.

The question was then taken on the adoption of the resolution and was decided in the negative.

Mr. Wm. Patterson from the committee on Territorial Affairs, reported No. 3, C. file. A memorial to Congress asking for a Survey of the Indian boundary line, which was read a first time.

A motion was made by Mr. Teas to read said memorial a second time now. To which the Council agreed.

The memorial was read a second time.

On motion of Mr. Wallace,

The thirteenth rule was suspended, and the memorial read a third time and passed.

Ordered, That the Secretary request the concurrence of the House in the same.

No. 5, H. R. file. A joint resolution providing for the appointment of a joint committee to wait on the proprietors of the two political presses of this City, to receive proposals for doing such printing as may be deemed necessary, &c.

A motion was made by Mr. Springer, to indefinitely postpone said joint resolution,

Which was agreed to.

No. 1, H. R. file. Joint resolution in relation to a revision of the laws,

Was read a first time.

The following resolution offered yesterday by Mr. Teas, was taken from the table and adopted.

Resolved, That a committee of three be appointed to draft a memorial to the President of the United States, asking the postponement of the sales of the public lands, now offered for sale in the Fairfield and Dubuque Land Districts.

Messrs. Teas, Wallace and Leffler, were appointed said committee.

Mr. Teas from the select committee, appointed to draft a memorial to the President of the United States, asking for the postponement of the land sales.

Reported No. 4, C. F.,

Which was read a first time.

A motion was made by Mr. Teas,

To read said memorial a second time now,

To which the Council agreed.

On motion of Mr. Wallace,

The Council resolved itself in a committee of the whole, for the consideration of the memorial.

After sometime spent therein, Mr. President resumed the Chair and Mr. Wm. Patterson, reported, That the committee had according to order, had the said memorial under consideration, and instructed him to report the same with amendments,

In which the Council concurred.

On motion of Mr. Teas,

The thirteenth rule was suspended, and the memorial read a third time and passed.

Ordered, That the Secretary request the concurrence of the House of Representatives in the same.

Mr. Cook gave notice that he would on some future day introduce a bill to amend an act, entitled an act to regulate conveyances.

Also, a bill for the relief of Wm. Hessin.

Mr. Cook from the select committee to which was referred No. 2, C. F. A bill to regulate the mode of petitioning the Legislative Assembly, in certain cases, reported the same back with amendments.

On motion of Mr. Cox,

The Council resolved itself in committee of the whole for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Wallace reported, that the committee had according to order, had the said bill under consideration, and instructed him to report the same without amendment.

In which the Council concurred.

On motion of Mr. Cook,

Ordered, That the bill be engrossed, and read a third time to-morrow.

On motion of Mr. Wm. Patterson,

The Council adjourned until to-morrow at 10 o'clock.

Friday Morning, December 16, 1842.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council, that the House have passed No. 4, H. R. file. A preamble and joint resolution, relative to Iowa Manufactures,

In which the concurrence of the Council is requested.

And then he withdrew.

Mr. Harris presented the petition of the First Universalist Society of Iowa City, praying for the extension of time to complete their church.

On motion of Mr. Harris,

Orderod, That said petition be referred to a select committee of one, from each Council District, Messrs. Harris. Wallace, R. M. G. Patterson, Springer, Jenkins, Cox, Cook, Christie and Teas were appointed said committee.

Mr. Springer from the committee on the Judiciary reported, No. 5, C. F. A bill to prohibit and punish the sale of intoxicating liquars to Indians,

Which was read a first time.

On motion of Mr. Springer,

Ordered, That the usual number of copies be printed.

Mr. Springer from the committee on the Judiciary, reported No. 6, C. F. A bill to repeal an act entitled an act relating to auctions and auction sales, approved Jan'y. 17th, 1840,

Which was read a first time.

Mr. Wallace from the committee on engrossed bills, reported No. 2, C. F. as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported No. 1, C. F. An act to relocate a part of the Territorial Road leading from West Point in Lee county to Salem in Henry county, as correctly enrolled.

No. 1, H. R. file. Joint resolution, relative to the revision of the laws,

Was read a second time.

On motion of Mr. Springer,

The 13th Rule was suspended and the resolution read a third time and passed. Messrs. Teas, Christie and Wallace, were appointed said committee on the part of the Council.

Ordered, That the Secretary notify the House of the same.

No. 2, C. F. An act to regulate the mode of petitioning the Legislative Assembly in certain cases,

Was read a third time and passed.

Ordered, That the Secretary inform the House and request their concurrence in the same.

No. 4, H. R. file. A preamble and joint resolution relative to Iowa Manufactures, was read a first time.

On motion of Mr. Springer,

Ordered, That 500 copies of the reports of the Superintendent of Public Buildings and Territorial Agent be printed for the use of the Council.

Mr. Harris gave notice,

That on to-morrow, or some subsequent day, he would ask leave to introduce a bill to amend the act relative to firing the woods and prairies.

A motion was made by Mr. Wallace,

To read No. 4, H. R. file. A preamble and joint resolution relative to Iowa Manufactures a second time,

Which was agreed to.

On motion of Mr. Wallace,

The Council resolved itself into a committee of the whole, for the consideration of said resolution, after sometime spent therein, Mr. President resumed the Chair, and Mr. Gehon reported, that the committee had, according to order, had said resolution under consideration and instructed him to report the same back without amendment,

In which the Council concurred.

On motion of Mr. Teas,

The 13th Rule was suspended and the preamble and joint resolution read a third time.

The question being on the passage of the resolution, it passed in the affirmative, yeas 8 nays 5.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were, Messrs. Christie, Cook, Jenkins, R. M. G. Patterson, Springer, Teas, Wallace and Elbert President.

Those who voted in the negative were Messrs. Cox, Gehon, Harris, Leffler and Wm. Patterson, so the resolution passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Cox gave notice,

That he would on to-morrow or some future day introduce a bill to authorize the citizens of Bellevieu, to elect an additional Justice of the Peace in that Township, who shall reside within the incorporated boundaries of said town.

Mr. Cook gave notice,

That he would on to-morrow, or some future day introduce a bill to provide for an additional Justice of the Peace in Cedar county, who shall reside within the limits of the town of Tipton.

On motion of Mr. Leffler,

The Council adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, December 17, 1842.

A message from the House of Representatives by Mr. Wallace their Chief Clerk

Mr. President:—I am directed to inform the Council, that the House have passed without amendment, No. 4, C. F. A memorial to the President of the United States, asking a postponement of the land sales in this Territory.

I also herewith present for your signature "An act to relocate a part of the Territorial Road leading from West Point in Lee county, to Salem in Henry county."

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act.

Mr. Cox asked leave of absence for Mr. Cook until Monday next, leave was granted.

On motion of Mr. Cox,

Resolved, That the Treasurer of this Territory be directed to report to this Legislature, whether he has received the monies that this Territory is entitled to, under the Act of Congress, of the 4th Sept. 1841, entitled "an act to appropriate the proceeds of the sales of public lands," &c.

Mr. Teas from the committee appointed on the part of the Council, to act with a similar committee on the part of the House, to take into consideration the expediency of revising the laws of this Territory, during the present Session of the Legislative Assembly, reported the following:

Resolved, That it is expedient to revise and compile the laws of this Territory during the present Session of the Legislative Assembly, and that a standing committee of four be appointed by the Council to act with a similar committee to be appointed on the part of the House, as a committee of revision.

On motion of Mr. Cox,

Ordered, That said resolution do lie upon the table until Monday next.

Mr. Leffler presented the account of Walter Butler, against this Territory

for rent of buildings occupied by the Legislative Assembly at the last Session, which was referred to the committee on Territorial Affairs.

No. 5, C. F. A bill to prohibit and punish the sale of intoxicating liquors to Indians,

Was read a second time.

On motion of Mr. Wallace,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Leffler reported, that the committee had according to order, had said bill under consideration and directed him to report the same back with one amendment, and asked the concurrence of the Council.

A motion was made by Mr. Teas,

To strike out the words "six months," and insert the words "two months," being the term of imprisenment for a violation of said law.

The question was lost,

On motion of Mr. Springer,

Ordered, That the Bill be engrossed for a third reading on Monday next.

No. 6, C. F. A bill to repeal an act entitled an act relating to auctions and auction sales, approved January 17th, 1840,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair and Mr. Teas reported, that the committee had according to order, had said bill under consideration and instructed him to report the same without amendment, and asked the concurrence of the Council; the Council concurred in the same.

On motion of Mr. Teas,

Ordered, That the bill be engrossed and read a third time on Monday next.

Mr. Harris from the select committee appointed for that purpose, reported No. 7, C. F. A bill to extend further time to the first Universalist Society of Iowa City to complete their House of Worship.

Which was read a first time.

On motion of Mr. Springer,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, December 19, 1842.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—The House have passed No. 9, H. R. file. A joint resolution providing for establishing the prices of public printing, and have stricken out the enacting clause of No. 2, C. F. An act to regulate the mode of petitioning the Legislative Assembly in certain cases.

In which the concurrence of the Council is requested.

And then he withdrew.

Mr. Wallace presented the petition of sundry citizens of McCarverstown, Henrp county, praying, that the name of McCarverstown may be changed to Lowell; which was referred to a select committee, viz:

Messrs. Wallace, Cook and Gehon.

Mr. Springer from the committee on the Judiciary, reported No. 8, C. F. A joint resolution instructing our Delegate in Congress to procure an amendment of the Organic Law,

Which was read a first time.

Mr. Wallace from the committee on engrossed bills, reported Nos. 5 and 6, C. F., as correctly engrossed.

Mr. Patterson from the committee on Territorial Affairs, reported back the account of Walter Butler and asked that said committee might be discharged from the further consideration of the subject,

Which was agreed to.

On motion of Mr. Wallace,

Ordered, That said account be referred to the committee on claims.

Mr. Leffler from the committee on enrolled bills, reported, that the committee did on this dav present to the Governor for his approval, an act to relocate a part of the Territorial Road, leading from West Point in Lee county to Salem, in Henry county.

Mr. Cook from the committee on enrollments, reported No. 4, C. F. A memorial to the President of the U. S. asking a postponement of the land sales, in this Territory, as correctly enrolled.

The President laid before the Council a communication from the Territorial Treasurer,

Which was read and laid on the table.

The resolution relative to the revision of the laws being the order of the day was taken up.

Mr. Cox moved to amend said resolution, by requiring the Judges of the Supreme Court to revise and compile the laws and report to the next Session of the Legislature,

Which was decided in the negative, yeas 3, nays 9.

The yeas and nays being desired by Mr. Teas, those who voted in the affirmative, were Messrs. Cox, Gehon and R. M. G. Patterson.

Those who voted in the negative were Messrs. Christie, Cook, Jenkins, Leffler, Wm. Patterson, Springer, Teas, Wallace and Elbert President.

Mr. Leffler moved to amend said resolution by striking out the words "revise and" which was decided in the negative.

The question then recurring on the adoption of the resolution. It was decided in the affirmative yeas 8, nays 4.

The yeas and nays being desired by Mr. Teas, those who voted in the affirmative were Messrs. Christie, Cook, Jenkins, Wm. Patterson, R. M. G. Patterson, Teas, Wallace and Elbert, President.

Those who voted in the negative were Messrs. Cox, Gehon, Leffler and Springer.

Messrs. Wallace, Teas, Wm. Patterson and Christie, were appointed the committee on the part of the Council.

No. 7, C. F. A bill to extend further time to the first Universalist Society of Iowa City, to complete their House of Worship,

Was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill do lie upon the table.

A message from the House of Representatives by Mr. Wallacs their Chief Clerk.

MR. PRESIDENT:—I am directed to inform the Council that the House have passed No. 6, H. R. file. A bill granting to A. Scott Brownlee and others the right to construct a mill race. Also,

No. 7, H. R. file. A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases.

In which the concurrence of the Council is requested.

And then he withdrew.

No. 5, C. F. An act to prohibit and punish the sale of intoxicating liquors to Indians.

No. 6, C. F. An act to repeal an act entitled an act, relating to auctioneers and auction sales approved, January 17th, 1840,

Were severally read a third time and passed.

Ordered, That the Secretary inform the House of the same and request their concurrence in the same.

No. 6, H. R. file. A bill granting to A. Scott Brownlee and others, the right to construct a mill race.

No. 7, H. R. file. A bill to legalize the acts of the County Commissioners of Des Moines county, in certain cases.

No. 9, H. R. file. A joint resolution to fix the price of printing, were severally read a first time.

Mr. Cook on leave introduced No. 9, C. F. A bill for the relief of Wm. Hessin.

Which was read a first time.

On motion of Mr. Wallace,

Ordered, That the bill be read a second time now,

The bill was then read a second time, and on motion of Mr. Cook,

Ordered, That said bill be referred to a select committee.

Messrs. Cook, Wallace and Harris were appointed said committee.

A motion was made by Mr. Cox,

That No. 9, H. R. file. A joint resolution to fix the price of printing be read a second time now,

The resolution was read a second time.

On motion of Mr. Cox,

The 13th Rule was suspended and the resolution read a third time and passed.

Messrs. Leffler, Springer and Wallace, were appointed the committee under the said resolution.

On motion of Mr. Christie,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, December 20, 1842.

Mr. Cook from the select committee, to which was referred No. 9, C. F. A bill for the relief of Wm. Hessin, reported adverse to the passage of the bill, and asked to be discharged from the further consideration of the same.

The Council adopted the report.

Mr. Leffler offered the following:

Resolved, (The House of Representatives concurring herein,) that the two Houses will adjourn on Thursday the 22d inst., until

of January 1843,

Which was read a first time.

On motion of Mr. Springer,

Ordered that the resolution be read a second time now. The resolution was then read a second time.

On motion of Mr. Teas,

Ordered, That the blank be filled with "Monday the 2d day of January 1843.

Mr. Springer offered the following as a substitute:

Resolved, By the Council and House of Representatives of the Territory of Iowa, That for the purpose of enabling the joint select committee appointed to revise and compile the statute laws of the Territory, to prepare bills for the action of the Legislative Assembly, the two Houses adjourn on Friday the 23d inst., until Monday the 2d day of January 1843.

Mr. Cook moved to amend said resolution by striking out the words "Friday the 23d" and insert "Thursday the 22d.,"

To which the Council agreed.

The question was then taken on the resolution as amended, it passed in the affirmative.

Ordered, That the Secretary notify the House of the same, and request their concurrence.

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment of the Organic Law,

Was read a second time.

On motion of Mr. Springer,

Ordered, That the resolution be engrossed and read a third time to-morrow.

No. 6, H. R. file. A bill granting to A. Scott Brownlee and others, the right to construct a mill race,

Was read a second time.

On motion of Mr. Christie,

Ordered, That the bill be read a third time to-morrow.

No. 7, H. R. file. A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases,

Was read a second time.

On motion of Mr. Leffler,

Ordered, That the bill be read a third time to-morrow.

On motion of Mr. Harris,

Ordered, That No. 7, C. F. A bill to extend further time to the first Universalist Society of Iowa City, to complete their House of Worship, be taken from the table,

To which the Council agreed.

On motion of Mr. Harris,

Ordered, That the bill be engrossed and read a third time to-morrow.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—I herewith present for your signature, a memorial to the President of the U. S. asking a postponement of the land sales in this Territory. The same being signed by the Speaker of the House of Representatives.

The House have appointed Messrs. Walworth, Sales and Hepner the committee on the part of the House to fix the prices of public printing.

And then he withdrew.

The President signed the above entitled memorial.

On motion of Mr. Springer,

The Council adjourned until to-morrow morning at 10 o'clock.

Iowa State Library

Wednesday Morning, December 21, 1842.

Mr. Wallace from the committee on engrossed bills, reported No. 7 and 8, C. F., as correctly engrossed.

Mr. Cook from the committee on claims, to which was referred the account of Walter Butler, made a report in relation thereto.

On motion of Mr. Cook,

Ordered, That the report do lie upon the table.

Mr. Cook from the committes on enrollments, reported that they did on the 20th inst. present to the Governor for his approval, a memorial to the President of the U. S. asking a postponement of the land sales in this Territory.

Mr. Harris from the committee on roads, reported No. 11, C. F. A bill to locate a Territorial road from Bennet's mill in Buchanan county, by the county seat of Delaware, to Olmstead's mill in said county. Also,

No. 12, C. F. A bill to locate a Territorial road from Jonathan H. Jenkin's in Linn county, to the city of Dubuque,

Which were severally read a first time.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—I am directed to inform the Council, that the House have passed,

No. 3, C. F. A memorial to Congress asking for a survey of the Indian boundary line. Also,

No. 13, H. R. file. A bill to authorize the board of Commissioners of Van Buren county to establish a certain road. Also,

No. 11, H. R. file. A bill to amend an act entitled an act, relating to the Office of Recorder of Deeds.

In which the concurrence of the Council is requested.

The Honse have appointed Messrs. McMillan, Andros, Felkner, Hackelman, Lewis, Newell, Robertson and Walworth a committee of revision on the part of the House.

And then he withdrew.

No. 6, H. R. file. An act authorizing A. Scott Brownlee and others the right to construct a mill race.

No. 7, H. R. file. An act to legalize the acts of the County Commissioners of Des Moines county, in certain cases.

No. 7, C. F. An act to extend further time to the First Universalist Society of Iowa City, to complete their House of Worship.

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment of the Organic Law,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of the same and request their conourrence.

No. 11, H. R. file. A bill to amend an act entitled an act relating to the Office of Recorder of Deeds.

No. 13, H. R. file. A bill to authorize the Board of Commissioners of Van Buren county to establish a certain road,

Were severally read a first time.

On motion of Mr. Springer,

Ordered, That No. 11, H. R. file. A bill to amend an act entitled an act relating to the Office of Recorder of Deeds, be read a second time now,

The bill was then read a second time.

On motion of Mr. Cox,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cox reported, that the committee had according to order, had said bill under consideration, and instructed him to report the same with one amendment,

The Council concurred in the amendment.

A motion was made by Mr. Cook,

To refer said bill to the committee of revision.

Mr. Patterson moved to amend the motion by referring the bill to the commitee on the Judiciary, in which the Council concurred.

The question then being on the motion as amended it was agreed to.

On motion of Mr. Jenkins,

Ordered, That No. 13, H. R. file. A bill to authorize the board of Commissioners of Van Buren county to establish a certain road, be read a second time, now,

The bill was read a second time.

A motion was made by Mr. Wallace,

That the Council adjourn until to-morrow morning 10 o'clock.

And the question being put; it was determined in the negative, yeas 5, nays 8.

The yeas and nays being desired by Mr. Leffler.

Those who voted in the affirmative were,

Messrs. Christie, Gehon, Harris, R. M. G. Patterson and Wallace.

Those who voted in the negative were,

Messrs. Cox, Cook, Jenkins, Leffler, Wm. Patterson, Springer, Teas and Elbert, President.

A motion was made by Mr. Harris,

That the Council adjourn until 2 o'clock P. M., and the question being put, was determined in the affirmative, yeas 9, nays 4.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative were,

Messrs. Cox, Cook, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, B.

M. G. Patterson and Elbert, President.

Those who voted in the negative were,

Messrs. Christie, Springer, Teas and Wallace.

So the Council adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council, that the House have passed No. 20, H. R. file. A bill to change the name of Philip Roclure. Also, a resolution authorizing the committee of revision to fill vacancies and employ one Clerk.

And have passed with amendments,

No. 10, C. F. A resolution providing for an adjournment of the two Houses until the 2d day of January 1843.

In which the concurrence of the Council is requested.

And then he withdrew.

No. 10, C. F. As amended by the House, was taken up and read, and the question being on concurring in the amendments of the House, it was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Cook, Gehon, Harris, Leffler, Wm. Patterson and Teas.

Those who voted in the negative were,

Messrs. Jenkins, R. M. G. Patterson, Springer, Wallace and Elbert, President.

No. 20, H. R. file. A bill to change the name of Philip Roclure,

Was read a first time.

Resolutions authorizing the committee of revision to fill vacancies and employ one clerk, was read.

On motion of Mr. Cook,

Ordered, That said resolution do lie upon the table until to-morrow morning.

On motion of Mr. Gehon,

The Council adjourned until to-morrow morning at 9 o'clock.

Thursday Morning, December 22, 1842.

The following resolution being the order of the day, was taken up.

Resolved, By the House of Representatives, the Council concurring herein, that the committee on revision have power to fill any vacancies that may occur in that body during the recess of this House, and that said committee have power to employ one clerk.

A motion was made by Mr. Springer,

To amend said resolution by striking out the words, "employ one clerk" and insert "may command the services of any of the clerks of either house,"

Which was agreed to.

A motion was made by Mr. Wallace,

To amend the amendment by striking out the words, "fill any vacancies that may occur in that body during the recess of this House, from any of the members of this House and insert "have the power to command the services of any member of either House, to fill vacancies."

The Council refused to concur in the amendment.

The question then being on Mr. Springer's amendment,

It was agreed to.

The question recurring on the adoption of the resolution.

Mr. Leffler called for a division of the question on the subject contained in the resolution.

Mr. Wallace objecting.

The Chair decided it was susceptible of a division.

Mr. Springer appealed from the decision of the Chair,

And the question being taken on sustaining the decision of the Chair, it was decided in the negative.

Mr. Leffler moved to insert the words, "further resolved," previous to the words, "shall have power to command the services of any of the clerk's of either House,"

The question then being on the adoption of the first resolution, it was decided in the affirmative, yeas 7, nays 6.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative were Messrs. Christie, Cook, Jenkins, R. M. G. Patterson, Springer, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson and Wallace.

The question then being on the adoption of the second resolution, it was decided in the affirmative, yeas 10, nays 3.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon and Harris.

Mr. Leffler asked leave of absence for Mr. Cook, until the 2d day of January, 1843.

No. 11, C. F. A bill to locate a Territorial Road from Bennet's mill in Buchanan county, via the county seat of Delaware, to Olmstead's mill in said county,

Was read a second time.

On motion of Mr. Harris,

Ordered, That the said bill be engrossed for a third reading on the 4th day of January next.

No. 12, C. F. A bill to locate a Territorial Road from Jonathan H. Jenkin's in Linn county to the city of Dubuque,

Was read a second time.

On motion of Mr. Gehon,

Ordered, That said bill do lie upon the table.

No. 20, H. R. file. A bill to change the name of Philip Roclure,

Was read a second time.

On motion of Mr. Harris,

Ordered, That said bill do lie upon the table.

No. 13, H. R. file. A bill to authorize the Board of Commissioners of Van Buren county, to establish a certain road,

Was read a third time and passed.

Mr. Cox asked leave of absence for the fireman, during the recess.

Leave was granted.

Mr. Leffler offered the following resolution:

Resolved, That the officers of the Council shall be paid as prescribed by law, and that the balance of the appropriation shall be applied to the payment of an extra clerk, provided the same shall not exceed three dollars per day.

On motion of Mr. Springer,

Ordered, That the resolution do lie upon the table.

On motion,

The Council adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

On motion of Mr. Teas,

The resolution relative to the pay of the officers of the Council, was taken from the table.

Mr. Teas offered the following as a substitute, (to come in after the word resolved.)

That the Messenger of this Council be required to perform the duties of Enrolling Clerk, and that whenever the said Messenger shall be employed

as such Clerk, the Sergeant-at-Arms shall in addition to his duty perform the duties of Messenger, the Sergeant-at-Arms agreeing thereto.

A motion was made by Mr. Cox,

To lay the resolution and amendment on the table,

Which was decided in the negative.

The question then being on the adoption of the amendments offered by Mr. Teas, it was decided in the negative. Yeas 5, nays 7.

The yeas and nays being desired by Mr. Teas.

Those who voted in the affirmative were,

Messrs. Christie, Harris, Jenkins, R. M. G. Patterson and Teas.

Those who voted in the negative were,

Messrs. Cox, Gehon, Leffler, Wm. Patterson, Springer, Wallace and Elbert, President.

The question then recurring on the original resolution.

A motion was made by Mr. Leffler,

To amend said resolution by striking out the word "three" and inserting the word "two."

Which was agreed to.

The question then being on the adoption of the resolution as amended, it was decided in the affirmative.

On motion of Mr. Cox,

The Council adjourned until the 2d day of January, 1843, agreeable to the resolution previously passed.

Monday Morning, January 2, 1843.

The President informed the Council, that Mr. Fales the Secretary was absent, and in consequence thereof, the Council could not proceed to business.

On motion of Mr. Springer,

Ordered, That Charles Madera be appointed Secretary *pro tem.*

On motion of Mr. Springer,

Resolved, That the Superintendent of Public Buildings at Iowa City, be requested to furnish the Council with a detailed estimate of the amount necessary to complete the Capitol.

On motion of Mr. Jenkins,

That the Council adjourn until to-morrow morning 10 o'clock.

Tuesday Morning, January 3, 1843.

Mr. Gehon presented the petition of sundry citizens of Dubuque and Jackson counties, praying for the establishment of a Territorial road, commencing at Cascade and running to or near the mouth of the Tete de Moats Creek.

On motion of Mr. Cox,

Ordered, That the petition be referred to the committee on roads.

Mr. Teas presented the petition of Samuel Walker and others, citizens of Jefferson county, praying for the relocation of a part of the Territorial road, running from Fort Madison in Lee county, to Fairfield in Jefferson county, which lies between the house of James Gallaher, and the house of David C. Brown.

On motion of Mr. Teas,

Ordered, That the petitition be referred to the committee on roads.

Mr. Cook presented the petition of sundry citizens of Cedar and Linn counties, praying for a review of a part of the Territorial road, running from Bloomington in Muscatine county, via Tipton in Cedar county, to Marion in Linn county, commencing at Clear-creek in Cedar county, to William Abbe's in Franklin township, Linn county.

On motion of Mr. Cook,

Ordered, That the petition be referred to the committee on roads.

Mr. Teas from the joint committee on the revision of the laws, reported

No. 14, C. F. A bill to provide for changing the venue in civil and criminal cases.

No. 15, C. F. A bill defining the duties of County Surveyors.

No. 16, C. F. A bill regulating interest on money.

No. 17, C. F. A bill relative to divorce, alimony and other purposes.

No. 18, C. F. A bill for the limitation of actions and for avoiding vexatious law suits.

No. 19, C. F. A bill to authorize evidence by the oath of parties.

Which were severally read a first time.

On motion of Mr. Springer,

Ordered, That No. 14, C. F. A bill to provide for changing the venue in civil and criminal cases, be read a second time now,

The bill was read a second time and laid on the table.

Mr. Springer from the committee on the Judiciary, reported

No. 20, C. F. A bill to change the time of holding the District Court in the Second Judicial District.

Which was read a first time.

On motion of Mr. Springer,

Ordered, That said bill be read a second time now,

The bill was read a second time.

On motion of Mr. Cook,

Ordered, That said bill do lie upon the table until to-morrow.

Mr. Cook from the committee on enrolled bills, reported a memorial to Congress asking for a Survey of the Indian boundary line, as correctly enrolled.

Mr. Springer from the committee on the Judiciary, reported

No. 21, C. F. A bill relating to the office of Recorder of Deeds,

Which was read a first time.

Mr. Cook from the committee on engrossed bills, reported

No. 11, C. F. A bill to locate a Territorial road from Bennet's mill in Buchanan county via the county seat of Delaware, to Olmstead's mill in said county, as correctly engrossed.

A motion was made by Mr. Cox,

To refer the report of the Territorial Agent to a committee of three to ascertain if the same was correctly printed.

Which was agreed to.

Messrs. Springer, Cox and Cock, were appointed said committee.

Mr. Cook moved to take from the table, No. 20, H. R. F. A bill to change the name of Philip Roclure.

Which was agreed to.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

A message from the House of Representatives by Mr. Wallace their Chief Clerk

Mr. President:—I am directed to inform the Council, that the House have passed.

No. 19, H. R. F. A bill to relocate a part of a Territorial road in Henry county. Also,

No. 24, H. R. F. Joint resolution authorizing the committee appointed to report a bill fixing the prices of printing, &c., to administer oaths and examine witnesses.

In which the concurrence of the Council is requested.

I am also directed to present for your signature, an act granting to A. Scott Brownlee and others, the right to construct a mill race.

An act, to legalize the acts of the County Commissioners of Des Moines county, in certain cases. Also,

An act to authorize the Board of Commissioners of Van Buren county to establish a certain road.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 19, H. R. F. A bill to relocate a part of a Territorial road in Henry county.

No. 24, H. R. F. Joint resolution authorizing the committee appointed to

report a bill fixing the prices of printing &c., to administer oaths and examine witnesses.

Were severally read a first time.

On motion of Mr. Springer,

That No. 24, H. R. F., be read a second time now,

The resolution was then read a second time.

On motion of Mr. Springer,

Ordered, That the 13th Rule be suspended and the resolution read a third time now,

The resolution was read a third time and passed.

Ordered, That the Secretary notify the House of the same.

On motion of Mr. Cox,

The Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, January 4, 1843.

Mr. Christie presented the petitition of sundry citizens of Scott county, praying that a charter may be granted to William Benham, and David B. Sears to keep a Ferry across the Mississippi River, from fractional section thirty two, in township seventy-eight, north of range four, east, with the exclusive privilege for the distance of one mile above, and one mile below said fractional section.

On motion of Mr. Christie,

Ordered, That said petition be referred to a select committee.

Messrs. Christie, Gehon and Cook, were appointed said committee.

Mr. Leffler presented the petition of sundry citizens of Des Moines county, praying the repeal of an act concerning weights and measures, approved January 4th, 1839, and that an act may be passed authorizing the Board of Commissioners in each county to appoint suitable persons as Inspectors of weights and measures.

On motion of Mr. Leffler,

Ordered, That said petition be referred to the committee on Territorial Affairs.

On motion of Mr. Teas,

Resolved, That the committee on Schools, be instructed to inquire into the expediency of applying all sums of money to which this Territory may be entitled, under the provisions of the act of Congress, approved 4th Sept., 1841, entitled an act to appropriate the proceeds of the sales of the public lands, &c. as a fund for common school purposes, and that said committee report by bill or otherwise, as soon as practicable.

Mr. Teas offered the following:

Resolved, That the committee on Schools, be instructed to enquire into the expediency of appropriating all fines and penalties, accruing under the penal and criminal laws of this Territory, as a school fund to be applied to the purposes of a common school education, and that said committee report by bill or otherwise.

On motion of Mr. Cook,

Ordered, That said resolution do lie upon the table.

Mr. Wm. Patterson presented the account of Mr. D. Holt, for furniture for the Legislative Assembly, amounting to thirty one dollars and eighty-seven and a half cents.

On motion of Mr. Wm. Patterson,

Ordered, That said account be referred to the committee on claims.

Mr. Harris from the committee on roads, reported

No. 22, C. F. A bill to locate a Territorial road from Cascade in Dubuque county, to the mouth of Tete des Morts in Jackson county. Also,

No. 23, C. F. A bill to relocate a part of the Territorial road running from Fort Madison in Lee county, to Fairfield in Jefferson county,

Which were severally read a first time.

Mr. Springer from the select committee appointed to examine the printing of the report of the Territorial Agent, reported the following:

The errors in the report, the committee are satisfied from the explanation of Mr. Hughes, are accidental misprints, they would recommend, however, that hereafter, in printing documents for the use of the Council, proof sheets should be furnished either to the authors, or to the Secretary of the Council.

The report was agreed to.

No. 14, C. F. A bill to provide for changing the venue in civil and criminal cases,

Was read a second time.

On motion of Mr. Wm. Patterson,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Wm. Patterson reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with one amendment, and ask the concurrence of the Council.

The question being taken on the concurrence of the Council, in the amendment, it was agreed to, yeas 7, nays 6.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative were,

Messrs. Christie, Harris, Leffler, R. M. G. Patterson, Springer, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Cook, Gehon, Jenkins, Wm. Patterson and Wallace.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 15, C. F. A bill defining the duties of County Surveyors,

Was read a second time.

An amendment was proposed by Mr. Cook, pending which, it was on motion of Mr. Springer,

Ordered, That said bill be referred to the committee on Territorial Affairs.

No 16, C. F. A bill regulating interest on money,

Was read a second time.

On motion of Mr. Wallace,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Wallace reported that the committee had, according to order, had the same under consideration, and instructed him to report the same with one amendment, and asked the concurrence of the Council.

And the question being, will the Council concur in the amendment?

It was decided in the affirmative, yeas 7, nays 5.

The yeas and nays being desired by Mr. Cox,

Those who voted in the affirmative were,

Messrs. Christie, Jenkins, Wm. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Cook, Gehon, Harris and Leffler.

On motion of Mr. Leffler,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 17, C. F. A bill relative to divorce, alimony and other purposes.

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 18, C. F. A bill for the limitation of actions and for avoiding vexatious law suits.

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 19, C. F. A bill to authorize evidence by the oath of parties.

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill be referred to the committee on the Judiciary.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council, that the House have passed without amendment,

No. 7, C. F. A bill to extend further time to the first Universalist Society of Iowa City to complete their house of worship.

I herewith return a memorial to Congress, for a survey of the Indian boundary line, the same being signed by the Speaker of the House.

I also herewith present for your signature, a joint resolution authorizing the committee on printing, to administer oaths, &c.

A joint resolution relative to Iowa manufactures, and

An act to change the name of Philip Roclure.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act and resolutions.

No. 20, C. F. A bill to change the time of holding the District Court in the Second Judicial District.

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on Judiciary.

No. 21, C. F. A bill relating to the office of Recorder of Deeds,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to a committee of the whole Council to-morrow.

No. 19, H. R. F. A bill to relocate a part of a Territorial road in Henry county,

Was read a second time.

On motion of Mr. Wallace,

Ordered, That said bill do lie upon the table.

No. 11, C. F. A act to locate a Territorial road from Bennet's mill in Buchanan county via the county seat of Delaware, to Olmstead's mill in said county,

Was read a third time and passed.

Ordered, That the Secretary notify the House of the same, and request their concurrence.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, January 5, 1843.

Mr. Leffler presented the petition of sundry citizens of Des Moines and Lee counties, praying for a review of the Territorial road, running from Burlington in Des Moines county, to Keokuk in Lee county.

On motion of Mr. Leffler,

Ordered, That the petition be referred to the committee on roads.

Mr. Springer from the committee on the Judiciary, reported

No. 24, C. F., (as a substitute for No. 19, C. F.) A bill to authorize evidence by the oath sf parties,

Which was read a first time.

On motion of Mr. Wm. Patterson,

Ordered, That the usual number of copies of said bill be printed.

Mr. Springer from the committee on the Judiciary, reported back with amendments,

No. 17, C. F. A bill relative to divorce, alimony, and other purposes.

On motion of Mr. Leffler,

Ordered, That the usual number of copies of said bill be printed.

Mr. Springer from the committee on the Judiciary, reported back without amendment,

No. 18, C. F. A bill for the limitation of actions, and for avoiding vexatious law suits.

Mr. Cook from the committee on enrolled bills, reported

No. 7, C. F. A bill to extend farther time to the first Universalist Society of Iowa City, to complete their house of worship as correctly enrolled.

No. 21, C. F. A bill relating to the Office of Recorder of Deeds, being the special order of the day, was taken up, and considered in committee of the whole.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cook reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with one amendment, and ask the concurrence of the Council.

The question being put will the Council, concur in the amendment, it was decided in the affirmative.

On motion of Mr. Springer,

Ordered, That the said bill be engrossed and read a third time to-morrow.

No. 22, C. F. A bill to locate a Territorial road from Cascade in Dubuque county, to the mouth of Tete des Morts in Jackson county,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 23, C. F. A bill to relocate a part of the Territorial road running from Fort Madison in Lee county, to Fairfield in Jefferson county,

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Cook,

Ordered, That the petition of the Journeymen printers of Iowa City be taken from the table and referred to the select committee on printing.

Mr. Harris offered the following:

Resolved, That all bills hereafter presented for the consideration of the Council, containing three or more sections, shall after the first reading thereof be considered as ordered to be printed unless otherwise directed by the Council.

Mr. Leffler moved to amend said resolution by inserting after the word bills "of a general nature,"

Which was agreed to.

A motion was made by Mr. Springer,

That the resolution be indefinitely postponed,

Which was decided in the negative yeas 6, nays 6.

The yeas and nays being desired by Mr. Patterson,

Those who voted in the affirmative were,

Messrs. Cook, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Jenkins, Leffler and Wm. Patterson.

Mr. Springer moved a call of the Council, which was had, and on the roll being called it appeared that Mr. Christie, was absent.

On motion of Mr. Springer,

A further call of the Council was suspended.

The question being on the adoption of the resolution, it was decided in the negative, yeas 5, nays 7.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Leffler, and Wm. Patterson.

Those who voted in the negative were,

Messrs. Cook, Jenkins, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

On motion of Mr. Gehon,

The Council adjourned until to-morrow morning at 10 o'clock.

Friday Morning, January 6, 1843.

Mr. Springer from the committee on the Judiciary, reported with amendments.

No. 20, C. F. A bill to change the time of holding the District Court in the Second Judicial District.

Which was read a first time.

On motion of Mr. Springer,

Ordered, That said bill be read a second time now,

The bill was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Cook from the committee on engrossed bills, reported

Nos. 21, 22, 23, C. F. as correctly engrossed.

No. 17, C. F. A bill relative to divorce, alimony, and other purposes,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After sometime spent therein, Mr. President resumed the chair, and Mr. Harris, reported that the committee had according to order, had said bill under consideration, and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put will the Council concur in the amendment?

It was agreed to.

On motion of Mr. Wallace,

Ordered, That said bill be engrossed and read a third time to-morrow.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—The House of Representatives have passed,

No. 29, H. R. F. An act regulating the keeping of stallions and jacks and to improve the breed of horses.

No. 28, H. R. F. An act for the encouragement of agriculture and domestic manufactures. Also,

No. 26, H. R. F. A bill in relation to the safe custody of persons arrested for crimes and misdemeanors.

In which the concurrence of the Council is requested.

I herewith return an act to extend further time to the first Universalist Society of Iowa City to complete their house of worship.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed said act.

No. 18, C. F. A bill for the limitation of actions and for avoiding vexatious law suits;

Was read a second time.

On motion of Mr. Wallace,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after sometime spent therein, Mr. President resumed the chair, and Mr. Springer, reported that the committee had according to order had said bill under consideration, and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put will the Council concur?

It was agreed to.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 24, C. F. A bill to authorize evidence by the oath of parties,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after sometime spent therein, Mr. President resumed the chair, and Mr. Teas reported that the committee had, according to order had said bill under consideration and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put will the Council concur.

Which was agreed to.

On motion of Mr. Teas,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 21, C. F. An act relating to the Office of Recorder of Deeds.

No. 22, C. F. An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete des Morts in Jackson county,

No. 23, C. F. An act to relocate a part of the Territorial road, running from Fort Madison in Lee county, to Fairfield in Jefferson county,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of the same, and request their concurrence.

No. 26, H. R. F. A bill in relation to the safe custody of persons arrested for crimes and misdemeanors.

Was read a first time.

On motion of Mr. Springer,

Ordered, That said bill be read a second time now.

The bill was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 28, H. R. F. A bill for the encouragement of agriculture and domestic manufactures,

Was read a first time.

On motion of Mr. Cook,

Ordered, That said bill be read a second time now.

The bill was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on agriculture.

No. 29, H. R. F. A bill regulating the keeping of stallions and jacks and to improve the breed of Horses,

Was read a first time.

On motion of Mr. Teas,

Ordered, That said bill be read a second time now,

The bill was read a second time.

A motion was made by Mr. Teas,

To suspend the 13th rule and that the bill be read a third time now, and the question being put, was decided in the negative.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Leffler gave notice, that on to-morrow or some subsequent day, he would introduce a bill to divorce John H. Armstrong from Sally Armstrong his wife.

On motion of Mr. Jenkins,

The Council adjourned until to-morrow morning 10 o'clock.

SATURDAY MORNING, January 7, 1843.

Mr. Springer from the committee on the Judiciary reported with amendments,

No 26, H. R. F. An act relative to the safe custody of persons, arrested for crimes and misdemeanors. Also,

No. 14, C. F. A bill to provide for changing the venue in civil and criminal cases.

Mr. Wallace from the committee on engrossed bills reported as correctly engrossed,

No. 17, C. F. An act relative to divorce, alimony, and other purposes.

Which was read a third time and passed.

Ordered, That the Secretary notify the House of the same and request their concurrence.

No. 14, C. F. A bill to provide for changing venue in civil and criminal cases.

Was read a second time.

On motion of Mr. Wallace,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after some time spent therein, Mr. President resumed the chair, and Mr. Leffler reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put, will the Council concur?

It was decided in the affirmative.

On motion of Mr. Gehon,

Ordered, That said bill be engrossed and read a third time on Tuesday.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—I am directed to inform the Council that the House have passed.

No. 10, H. R. F. A bill to relocate the county seat of Lee county,

In which the concurrence of the Council is requested.

The House have also passed without amendment,

No 11, C. F. An act to locate a Territorial road from Bennet's mill in Buchanan county via the county seat of Delaware to Olmstead's mill in said county.

And then he withdrew.

Mr. Wallace from the committee on engrossed bills, reported No. 20, C. F. as correctly engrossed.

No. 26, H. R. F. A bill relative to the safe custody of persons arrested

for crimes and misdemeanors,

Was read a second time.

A motion was made by Mr. Cook,

To strike out the last section of said bill, which reads as follows:

This act shall be in force from and after its passage,

In which the Council concurred.

A motion was made by Mr. Cox,

To strike out the eight section of said bill, which reads as follows:

That the board of Commissioners of any county from which a prisoner may be transferred under the provisions of this act, shall pay the county to which such prisoner may be transferred, the sum of two dollars per month, for each prisoner, during his confinement for the use of the jail of such county.

In which the Council concurred.

On motion of Mr. Wallace,

Ordered, That said bill be read a third time on Tuesday.

No. 20, C. F. An act to change the time of holding the District Court in the Second Judicial District,

Was read a third time and passed.

Ordered, That the Secretary notify the House of the same and request their concurrence.

No. 10, H. R. F. A bill to relocate the county seat of Lee county,

Was read a first time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be read a second time now,

The bill was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to a select committee consisting of the delegations from Lee, Van Buren and Henry counties.

On motion of Mr. Wm. Patterson,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, January 9, 1843.

Mr. Wm. Patterson presented the petition of sundry citizens of Lee county praying the relocation of the Seat of Justice of said county, by disinterested commissioners, which was on motion of Mr. Wm. Patterson, referred to the select committee heretofore appointed in relation to said county seat.

Mr. Wm. Patterson presented the remonstrance of sundry citizens of Lee county, against the relocation of the Seat of Justice of said county,

Which was referred to the select committee heretofore appointed in relation to said county seat.

Mr. Springer from the committee on the Judiciary, reported

No. 25, C. F. A bill relative to the time of taking effect of the laws of the present Session,

Which was read a first time.

Mr. Wallace from the committee on engrossed bills, reported

Nos. 18 and 24, C. F. as correctly engrossed.

Mr. Jenkins from the committee on Agriculture, reported back with amendments,

No. 28, H. R. F. An act for the encouragement of agriculture and domestic manufactures.

Mr. Cook from the committee on enrolled bills, reported that the committee did on the 5th inst., present to the Governor for his approval, a memorial to Congress, asking for a survey of the Indian boundary line. Also on the 7th inst., an act to extend further time to the first Universalist Society to complete their house of worship.

No. 18, C. F. An act for the limitation of actions, and for avoiding vexatious law suits, and

No. 24, C. F. An act to authorize evidence by the oath of parties,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 28, H. R. F. An act for the encouragement of agriculture and domestic manufactures,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be read a third time on Wednesday next.

The following message was received from the Governor, by the hand of Morgan Reno, his private Secretary.

EXECUTIVE OFFICE, IOWA CITY,
7th January, 1843.

To the Council and House of Representatives:

I return to the Council, in which it originated, a joint memorial to Congress on the subject of running and marking the temporary boundary line between that portion of the land ceded to the United States by the late treaty with the Sac and Fox Indians, which they are to occupy for a time, and that portion of it, which they are to surrender the possession on the first day of May next.

The memorial recites, that the Indians are, by the provisions of the treaty, to retain as their home and abiding place for the term of three years, from and after the first day of May next, all that part of the country lately ceded by them to the United States, lying west of a line running due north from the northern boundary of the State of Missouri, and crossing the Des Moines river, at the mouth of the White-breast.

Having acted as the Commissioner of the United States, in negotiating

the treaty referred to, I am enabled to state to the Council and House of Representatives, that they have been misinformed as to the time, during which the Indians have reserved the right to occupy the lands west of the line alluded to, and also as to the point at which that line is to intersect the Des Moines.

The reservation of the right to occupy a part of the ceded country, is for three years from the day the treaty was signed (11th October last) and the point of intersection aforesaid, is eight miles when reduced to a straight line, up the White-breast, from its junction with the Des Moines; and as my approval of the memorial would seem to sanction the misconceptions I have explained, I am constrained to withhold my approbation of it. I would, however, beg leave respectfully to state to the Council and House of Representatives, that the treaty to which their memorial refers, contains a stipulation that the President of the United States shall as soon after the ratification as may be convenient, appoint a commissioner to run and mark the boundary to which the memorial relates.

I have the honor to be very respectfully,
Your ob't. servant,
JOHN CHAMBERS.

The message was read at the clerk's table and informally passed over for the present.

Mr. Cook gave notice, that he would at some future day introduce a bill to amend an act entitled an act, to incorporate the Washington manufacturing company.

On motion of Mr. Cox,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, January 10, 1843.

Mr. Wm. Patterson from the select committee to which was referred No. 10, H. R. F. A bill to relocate the county seat of Lee county, with the petitions and remonstrances in relation thereto, reported, that the committee had carefully examined the petitions and remonstrances, and found that there was a majority of eighty-five petitioners for a relocation, and that nine hundred and two had been sworn to, as legal voters of said county, and one hundred and eighty-one that were not certified, but were thought to be legal voters of said county, making in all one thousand and eighty-three, and in examining the remonstrances found that there were nine hundred and seventy-eight names attached thereto, none of which were certified to.

The committee had some doubts in relation to the legality of all the re-

monstrants, believing as they did, that there were some three hundred names on the remonstrance and petitions over and above the number of legal voters in the county.

The committee therefore believe that there is a majority of legal voters of said county asking for a relocation of said county seat; and as your committee believe in the right of instruction, think it right to grant the prayer of the petitioners, we would therefore recommend the passage of the bill, with the following amendments, to wit:

Strike out the name of David Ferguson and insert that of Isaac N. Selby as one of the commissioners. Also strike out the following proviso to the the 10th section.

Provided, however that nothing in this act shall be so construed as to make it obligatory on the commissioners to make a relocation.

The question was then taken on concurring in the amendments proposed by the committee and was carried in the affirmative.

Mr. Cox offered the following:

Resolved, That the bill now under consideration, be recommitted and that the committee be instructed to report a provision in said bill, to allow the people to vote for the place selected by the locating commissioners and the present county seat of Lee county, and when the vote is taken as aforesaid, the place receiving the highest number of legal votes shall be the permanent seat of justice of said county.

And the question being put, will the Council adopt the resolution?

It was decided in the negative yeas 4, nays 9.

The yeas and nays being desired by Mr. Cox,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Gehon, and Leffler.

Those who voted in the negative were,

Messrs. Cook, Harris, Jenkins, Wm. Patterson, R. M. G Patterson, Springer, Teas, Wallace and Elbert, President.

The bill was then on motion of Mr. Springer, ordered to be read a third time to-morrow.

Mr. Cook from the committee on engrossed bills, reported

No. 14, C. F., as correctly engrossed.

No. 25, C. F. A bill relative to the time of taking effect of the acts of the present Session,

Was read a second time.

On motion of Mr. Leffler,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After sometime spent therein, Mr. President resumed the chair, and Mr. Gehon, reported that the committee had according to order, had said bill under consideration, and instructed him to report the same to the Council with an amendment.

The Council concurred in the amendment?

On motion of Mr. Springer,

Ordered, That the bill be engrossed and read a third time to-morrow.

No. 26, H. R. F. A bill in relation to the safe custody of persons arrested for crimes and misdemeanors. And

No. 14, C. F. A bill to provide for the changing of venue in civil and criminal cases.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Cook on leave reported

No. 26, C. F. A bill to amend an act to incorporate the Washington manufacturing company.

Mr. Wallace on leave, reported

No. 27, C. F. A bill to change the name of McCarverstown in Henry county, to Lowell.

Which bills were severally read a first time.

On motion of Mr. Jenkins,

The Council adjourned until to-morrow morning 10 o'clock.

Wednesday Morning, January 11, 1843.

Mr. Cook from the committee on engrossed bills, reported

No. 25, C. F., as correctly engrossed.

No. 26, C. F. An act to amend an act to incorporate the Washington manufacturing company,

Was read a second time.

And on motion of Mr. Cook,

Ordered, To be engrossed and read a third time to-morrow.

No. 27, C. F. An act to change the name of McCarverstown in Henry county, to Lowell,

Was read a second time. And

On motion of Mr. Teas,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after sometime spent therein, Mr. President resumed the chair, and Mr. Cox reported that the committee had, according to order had said bill under consideration and instructed him to report the same to the Council with an amendment.

The Council concurred in the amendment.

On motion of Mr. Wallace,

Ordered, That the bill be engrossed and read a third time to-morrow.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council, that the House have passed without amendment,

No. 22, C. F. An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete des Morts in Jackson county. Also,

No. 23, C. F. An act to relocate a part of the Territorial road, running from Fort Madison in Lee county, to Fairfield in Jefferson county,

I herewith return an act to locate a Territorial road from Bennett's mill, in Buchanan county via the county seat of Delaware county, to Olmstead's mill in said county.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed said act.

No. 10, H. R. F. A bill to relocate the county seat of Lee county,

Was read a third time.

Mr. Wm. Patterson asked the unanimous consent of the Council to add the following words to the eighth section of the bill, viz: "But nothing in this act shall be so construed as to prevent the commissioners from locating the county seat at Fort Madison."

Consent was granted.

The question then being on the passage of the act; it passed in the affirmative yeas 10, nays 3.

The yeas and nays being desired by Mr. Wm. Patterson,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon, Leffler.

So the bill passed and the title was agreed to.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 28, H. R. F. A bill for the encouragement of agriculture and domestic manufactures.

No. 25, C. F. An act relative to the time of taking effect of the acts of the present Legislative Assembly,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Harris gave notice that he would on some future day, introduce a bill to incorporate the Methodist Episcopal church of Bloomington.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, January 12, 1843.

Mr. Wm. Patterson from the committee on Territorial Affairs, to which was referred,

No. 15, C. F. A bill defining the duties of County Surveyors, reported the same back to the Council with sundry amendments.

Mr. Leffler, from the committee on the Judiciary to which was referred,

No 16, C. F. A bill regulating interest on money, reported the same back to the Council, with amendments.

Mr. Teas from the committee on the revision of the laws, reported

No. 28, C. F. A bill subjecting real and personal estate to execution,

Which was read a first time.

On motion of Mr. Leffler,

Ordered, That seventy-five copies of said bill be printed.

Mr. Wallace from the committee on engrossed bills, reported No. 26 and 27, C. F. as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported

An act to relocate a part of the Territorial road running from Fort Madison in Lee county, to Fairfield in Jefferson county.

A bill to locate a Territorial road from Cascade in Dubuque county, to the mouth of the Tete Des Morts in Jackson county, as correctly enrolled.

Mr. Wallace gave notice that he would at some future day, introduce the following bills, viz:

A bill relative to promissory notes, bonds, due bills, and other instruments of writing.

A bill regulating practice in the District Courts. Also,

A bill to revive and amend an act, to incorporate the town of Mount Pleasant.

No. 15, C. F. A bill defining the duties of county surveyor,

Was read a second time. And

On motion of Mr. Wm. Patterson,

Ordered to be printed,

No. 16, C. F. A bill to regulate interest on money,

Was read a second time. And

On motion of Mr. Teas,

Ordered, To be engrossed and read a third time to-morrow.

No. 26, C. F. An act to amend an act to incorporate the Washington manufacturing company, and

No. 27, C. F. An act to change the name of McCarverstown in Henry county, to Lowell.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—The House of Representatives have passed,

No. 21, H. R. F. An act to legalize the acts of George Duden a Justice of the Peace.

No. 21, H. R. F. A bill to establish a Territorial road in Lee county, and

No. 35, H. R. F. A bill to relocate a part of a Territorial road leading from Davenport in Scott county, to Marion in Linn county.

In all of which the concurrence of the Council is requested.

And then he withdrew.

The foregoing entitled bills were then read a first time.

A motion was made by Mr. Cook,

That the Council do now adjourn until to-morrow morning at 10 o'clock.

Which was decided in the negative yeas 6, nays 6.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Jenkins, R. M. G. Patterson, Springer and Wallace.

Those who voted in the negative were,

Messrs. Cook, Gehon, Leffler, Wm. Patterson, Teas and Elbert, President. And then

On motion of Mr. Jenkins,

The Council adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, JANUARY 13, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—I am directed to inform the Council that the House of Representatives have passed.

No. 32, H. R. F. A bill to incorporate the Scott county Hydraulic company.

I herewith present for your signature, an act for the encouragement of agriculture and domestic manufactures.

The same having been signed by the Speaker of the House of Representatives.

And then he withdrew.

The President signed said act.

Mr. Springer offered the following:

Resolved, That the committee on Territorial affairs, be instructed to enquire into the expediency of memorializing Congress for a donation to the Territory of the sixteenth sections, in the several congressional townships in the Territory for school purposes,

Which was laid on the table until to-morrow.

Mr. Springer gave notice that he would on to-morrow introduce

A bill to legalize the acts of Jacob Mintun, a Justice of the Peace. Also,

A bill to establish a Seminary at Grandview in Louisa county.

Mr. Cook from the committee on engrossed bills, reported

No. 16, C. F., as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported, that they did on the 12th inst. present to the Governor for his approval, an act to locate a Territorial road from Bennett's mill in Buchanan county via the county seat of Delaware county, to Olmstead's mills in said county.

No. 21, H. R. F. An act to legalize the acts of George Duden a Justice of the Peace,

Was read a second time, and

On motion of Mr. Cook,

Referred to the committee on the Judiciary, with instructions to enquire into the legality of the passage of such a bill.

No. 31, H. R. F. An act to establish a Territorial road in Lee county,

Was read a second time, and

On motion of Mr. Wm. Patterson,

Referred to the delegation from Lee county.

No. 35, H. R. F. An act to relocate a part of a Territorial road leading from Davenport to Marion,

Was read a second time, and

On motion of Mr. Cook,

Ordered, To be read a third time to-morrow.

No. 15, C. F. A bill defining the duties of county surveyors,

Was read a second time, and

On motion of Mr. Wm. Patterson,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after sometime spent therein, Mr. President resumed the chair, and Mr. Teas, reported that the committee had according to order had said bill under consideration, and instructed him to report the same with sundry amendments.

The Council concurred.

On motion of Mr. Springer,

The bill was recommitted to the committee on Territorial Affairs.

No. 16, C. F. A bill regulating interest on money,

Was read a third time, and the question being put; shall the bill pass? It passed in the affirmative, yeas 10, nays 2.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas, Wallace and Elbert President.

Those who voted in the negative were,

Messrs. Cook and Springer.

So the bill passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 32, H. R. F. A bill to incorporate the Scott county Hydraulic company,

Was read a first and second time, and

On motion of Mr. Teas,

Referred to the committee on Incorporations, and Messrs. Cook and Christie were added to said committee.

On motion,

The Council adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, January 14, 1843.

Mr. Cook presented the petition of sundry citizens of Linn county, praying that said county may be set of as a separate electoral district, and entitled to one member of the House of Representatives, and that the counties of Cedar and Jones may also be set apart as a separate electoral district, and entitled to one member of the House of Representatives.

Which was referred to the committee on elections and the delegation from Cedar, Jones, and Linn.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have passed,

No. 22, H. R. F. Memorial for an appropriation for a canal at each of the Rapids of the Mississippi.

No. 42, H. R. F. A bill to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county; and

No. 40, H. R. F. An act to legalize the acts of the Sheriff of Clayton county.

Also with amendments.

No. 17, C. F. A bill relative to divorce, alimony, and other purposes, and

No. 20, C. F. A bill to change the time of holding the District Court in the Second Judicial District.

In all of which the concurrence of the Council is requested.

I herewith return an act to relocate a part of the Territorial road lea ding from Fort Madison in Lee county, to Fairfield in Jefferson county; and

An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of the Tete des Morts, in Jackson county.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President signed said acts.

Mr. R. M. G. Patterson from the committee on incorporation, reported back to the Council without amendments,

No. 32, H. R. F. An act to incorporate the Scott county Hydraulic company.

Mr. Wm. Patterson from the committee on Territorial Affairs, reported back to the Council with amendments,

No. 31, H. R. F. An act to establish a Territorial road in Lee county,

Mr. Springer in accordance with notice previously given, introduced

No. 29, C. F. A bill to legalize the acts of Jacob Mintun a Justice of the Peace. Also,

No. 30, C. F. A bill to establish a Seminary of learning at Grandview in Louisa county.

Said bills were read a first time.

Mr. Harris according to previous notice, introduced

No. 31, C. F. A bill to incorporate the Methodist Episcopal church at Bloomington,

Which was read a first and second time, and

On motion of Mr. Harris,

The 13th Rule was suspended for the time being, and the bill read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Council then proceeded to the consideration of the following resolution.

Resolved, That the committee on Territorial affairs, be instructed to enquire into the expediency of memorializing Congress for a donation to the Territory of the sixteenth sections, in the several congressional townships in this Territory for school purposes,

And the question being put; shall the resolution pass?

It passed in the affirmative, yeas 9, nays 4.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon, Leffler and Teas.

So the resolution passed.

No. 15, C. F. A bill defining the duties of county surveyors,

Was read a second time. And

On motion of Mr. Wallace,

Referred to the committee of the whole Council.

After some time spent therein, Mr. President resumed the Chair, and Mr. Wallace reported that the committee had, according to order, had the same under consideration, and instructed him to report the same to the Council, with amendments.

The amendments were concurred in.

Some slight amendments were made, and the bill ordered to be engrossed for a third reading on Monday next.

No. 31, H. R. F. A bill to establish a Territorial road in Lee county, and

No. 32, H. R. F. A bill to incorporate the Scott county Hydraulic company,

Were severally read a second time, and

Ordered, To be read a third time on Monday next.

No. 35, H. R. F. An act to relocate a part of a Territorial road leading from Davenport in Scott county to Marion, in Linn county,

Was read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 17, C. F. An act relative to divorce, alimony and other purposes.

No. 20, C. F. An act to change the time of holding the District court in the Second Judicial District, being returned from the House of Representatives with sundry amendments, were taken up, the amendments severally considered and concurred in.

No. 22, H. R. F. A memorial to Congress for an appropriation for a canal at each of the rapids of the Mississippi.

No. 40, H. R. F. An act to legalize the acts of the Sheriff of Clayton county, and

No. 42, H. R. F. An act to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county,

Were severally read a first time, and

No. 22, H. R. F., was read a second time, and

On motion of Mr. Christie,

Referred to the committee on Territorial Affairs.

On motion of Mr. Harris,

No. 12, C. F. A bill to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque, was taken from the table and read a second time, and ordered to be engrossed and read a third time on Tuesday next.

On motion of Mr. Wallace,

No. 19, H. R. F. A bill to relocate a part of a Territorial road in Henry county, was taken from the table and ordered to be read a third time on Monday next.

The President on leave, offered the following resolutions,

Which were adopted.

Resolved, That the standing committee on Territorial Affairs, be required to enquire into the expediency of attaching for Judicial purposes, so much of the late Sac and Fox purchase as may be occupied in May next; (provided said Treaty is ratified by Congress) and report thereon by bill or otherwise.

Resolved, That the committee on Internal Improvements, be instructed to inquire into the condition and character of the rivers of this Territory, and make report to the Council on the following points, to wit:

1st. Whether said rivers are declared navigable by the laws of the United States.

2d. Whether the Legislature have any powers to legislate on said rivers, in regard to the improving the navigation, and granting charters for Hydraulic purposes, &c., and if in possession of said right to legislate upon, to what extent.

3d. To what extent the different Legislatures have granted charters for dams on said rivers, and the nature of said charters.

4th. To report a bill for the regulation of the navigation and Hydraulic power on said rivers; provided, said committee be of opinion that the Legislature have power to act on said rivers, to the extent above named.

Messrs. Leffler, Springer and Cook,

Were added to the last named committee.

On motion of Mr. Wallace,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, January 16, 1843.

Mr. Wallace from the committee on engrossed bills, reported

No. 15, C. F. as correctly engrossed.

Mr. Cook from the committee on enrollments, reported

That said committee had presented to the Governor for his approval on the 16th inst.,

An act to relocate a part of the Territorial road running from Fort Madison in Lee county, to Fairfield in Jefferson county. Also,

An act to locate a Territorial road from Cascade in Dubuque county, to the mouth of the Tete Des Morts in Jackson county.

No. 29, C. F. A bill to legalize the acts of Jacob Mintun, a Justice of the Peace.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 30, C. F. A bill to establish a Seminary of learning at Grandview in Louisa county,

Was read a second time, and

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 40, H. R. F. An act to legalize the acts of the Sheriff of Clayton county.

On motion of Mr. Cox,

Ordered, That said act be read a third time to-morrow.

No. 42, H. R. F. A bill to locate a Territorial road from Moscow so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county,

Was read a second time.

And on motion of Mr. Cox,

Ordered, That said bill be read a third time to-morrow.

No. 22, C. F. A bill subjecting real and personal estate to execution.

Was read a second time.

On motion of Mr. Cook,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cook reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with one amendment, and ask the concurrence of the Council.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on the Judiciary.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council, that the House have passed without amendment,

No. 2, H. R. F. An act to repeal an act relative to officers of the Legislative Assembly.

No. 44, H. R. F. An act to authorize the county commissioners of Johnson county to vacate a part of the Territorial road leading from Wyoming to Iowa City, also, to relocate a part of said road. Also,

No. 47, H. R. F. An act to allow George Bomgardner and others further time to file in the Secretary's Office a plat of a survey of a certain Territorial road.

In all of which the concurrence of the Council is requested.

And then he withdrew.

No. 19, H. R. F. An act to relocate a part of a Territorial road in Henry county.

No. 31, H. R. F. An act to establish a Territorial road in Lee county.

No. 15, C. F. An act defining the duties of County Surveyors,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives of the same and request their concurrence.

No. 32, H. R. F. An act to incorporate the Scott county Hydraulic company,

Was read a third time.

And the question being put on the passage of the bill,

It was decided in the affirmative yeas 8, nays 5.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Jenkins, R. M. G Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Leffler and Wm. Patterson.

No. 2, H. R. F. An act to repeal an act relative to officers of the Legislative Assembly,

Was read a first and second time.

A motion was made by Mr. Cook,

To suspend the 13th rule and read said bill a third time now,

And the question being put, and two-thirds not voting therefor, the rule was not suspended. It was then

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

No. 44, H. R. F. An act to authorize the county commissioners of Johnson county to vacate a part of the Territorial road, leading from Wyoming to Iowa City, also to relocate a part of said road.

No. 47, H. R. F. An act to allow George Bomgardner and others further time to file in the Secretary's Office a plat of Survey of a certain Territorial road,

Were severally read a first time.

The President laid before the Council a communication from the Superintendent of Public Buildings. Which was read

A motion was made by Mr. Wallace,

That one thousand copies of the same be printed.

And the question being put,

It was decided in the affirmative yeas 8, nays 5.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Christie, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

Those who voted in the negative were,

Messrs. Cox, Cook, Springer, Teas, and Elbert, President.

Mr. Wallace on leave, introduced

No. 32, C. F. Joint resolution asking an appropriation to defray the expenses of a treaty with the Pottawatomy Indians.

Was read a first time.

On motion of Mr. Cook,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, January 17, 1843.

Mr. Wallace from the committee on engrossed bills, reported
No. 12, and 30, C. F. as correctly engrossed.
Mr. Springer from the committee on the Judiciary, to which was referred,
A bill to legalize the acts of George Duden, a Justice of the Peace, and, also,
A bill to legalize the acts of Jacob Mintun, a Justice of the Peace, with instructions to inquire into the legality of the passage of such acts, reported the same back to the Council, and recommend their passage.
Mr. Cook from the committee on enrolled bills, reported
No. 17, C. F. as correctly enrolled. And, also,
That they had, on the 16th inst. presented to the Governor, for his approval the following act:
An act to change the time of holding the District Court, in the second Judicial District.
Mr. Springer, from the committee on the Judiciary, reported
No. 33, C. F. A Bill concerning Mortgages,
Which was read a first time.
On motion of Mr. Springer,
Ordered, That the usual number of copies of said bill be printed.
Mr. Harris from the committee on Roads, reported,
No. 34. C. F. A bill to re-locate the Territortal Road, leading from Burlingtoni in Des Moines county, to Keokuck, in Lee county,
Which was read a first time.
Mr Teas, from the committee on Revision, reported,
No. 35, C. F. A bill defining the Jurisdiction of the Supreme and District Courts. Also,
No. 36, C. F. A bill to allow and regulate the action of Ejectment,
Which were severally read a first time.
On motion of Mr. Springer,
Ordered, That the usual number of copies of said bills be printed.
No. 44, H. R. F. An act to authorize the county commissioners of Johnson county, to vacate a part of the Territorial road leading from Wyoming to Iowa City, also to re-locate a part of said road.
No. 47, H. R. F. An act to allow George Bomgardner and others further time to file in the Secretary's office a plat of a survey of a certain Territorial road.
Were severally read a second time.

On motion of Mr. Harris,

Ordered, That said bills be read a third time to-morrow.

No. 32, C. F. Joint Resolution, asking an appropriation to defray the expenses of a treaty with the Pottowatamy Indians,

Was read a second time.

A motion was made by Mr. Cox,

To amend said Resolution by inserting the words "Chippewa and Ottawa,"

Which was agreed to.

On motion of Mr. Teas,

Odered, That said Joint Resolution be engrossed and read a third time to-morrow.

No. 29, C. F. A bill, to legalize the acts of Jacob Mintum, a Justice of the Peace.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 21, H. R. F. An act to legalize the acts of George Duden a Justice of the Peace.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be read a third time to-morrow.

No. 2, H. R. F. An act to repeal an act relative to officers of the Legislative Assembly.

Was read a third time.

Mr. Cook, by unanimous consent obtained leave to amend said bill, by adding, "Sec. 2, This act to take effect from and after its passage."

The question then being put, Shall the bill pass?

It was decided in the affirmative.

No. 40, H. R. F. An act to legalize the acts of the Sheriff of Clayton county.

No. 42, H. R. F. An act to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county.

No. 12, C. F. An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque.

No. 30, An act to establish a Seminary of Learning at Grandeview in Louisa county.

Were all read a third time and passed.

Ordered, That the Secretary notify the House of Representatives of the same and request their concurrence.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House of Representatives have passed without amendment,

No. 27, C. F. An act to change the name of McCarverstown in Henry county, to Lowell. Also,

No. 30, H. R. F. A bill to amend an act to Incorporate the city of Dubuqe,
In which the concurrence of the Council is requested.
And then he withdrew.
No. 30, H. R. F. A bill to amend an act to incorporate the city of Dubuqe,
Was read a first time.
The President announced a communication from the Governor, on Executive business,
On motion of Mr. Springer,
The Council resolved itself into an Executive session; and after a short time, the doors were opened, and
On motion of Mr. Wallace,
The Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, January 18, 1843.

Mr Harris presented the petition of sundry citizens of Muscatine county, praying the Legislature to grant them an act of Incorporation, by the name and style of the Muscatine, Farmer's and Mechanics' Exchange Company.
On motion of Mr. Harris,
Ordered, That said petition be referred to the committee on Incorporations.
Mr. Wm Patterson presented the petition of Lusena Scott, praying to be divorced from her hasband, Rothens Howard Scott.
Mr. R. M. G. Patterson presented the petition of Mary Ann Smiley praying to be divorced from her husband, Reuben Smiley.
On motion of Mr. Wm. Patterson,
Ordered, That the said petitions be referred to a select committee.
Messrs. Wm. Patterson, R. M. G. Patterson, and Wallace, were appointed said committee.
Mr. Springer, presented the petition of sundry citizens of Washington county, praying the passage of an act requiring the observance of the sabbath.
On motion of Mr. Springer,
Ordered, That said petition do lie upon the table, subject to the order of the Council.
On motion of Mr. Cox,
Resolved, That the committe on Territorial Affairs, be instructed to inquire into the expediency of so organizing new counties, in the late purchase from the Sac and Fox Indians of this Territory, so that the new counties, may elect Justices of the Peace, Constables, &c., and be attached to the ad-

joining counties for other judicial purposes, and that said new counties, be laid off and governed by the west boundaries of the old counties, and by a line running from the north west corner of the counties west of the Indian boundary line, &c., and that the committee report by bill or otherwise.

Mr. Christie, from the select committee appointed for that purpose reported,

No. 37, C. F. A bill to authorize Wm. Benham and David B. Sears, to keep a Ferry.

Which was read a first time.

Mr. Wallace from the committee on engrossed bills, reported

No. 29, and 32, C. F. as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported

An act to change the name of McCarverstown in Henry county, to Lowell.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House of Representatives have passed,

No. 50, H. R. F A bill to relocate a certain Territorial Road.

No. 51, H. R. F. A bill for the relief of Denton J. Snyder.

Also with amendments.

No. 21, C. F. An act relating to the office of Recorder of Deeds.

In which the concurrence of the Council is requested.

The House have also passed without amendment,

No. 5, C. F. An act to prohibit and punish the sale of intoxicating liquors to Indians. Also,

No. 6. C. F. A bill to repeal an act entitled an act relating to Auctioneers and Auction Sales, approved January 17, 1840.

I herewith present for your signature,

An act to relocate a part of the Territorial road leading from Davenport in Scott county to Marion, in Linn county; and

An act in relation to the safe custody of persons for crimes and misdemeanors.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President signed the above entitled acts.

No. 30, H. R. F. A bill to amend an act to incorporate the city of Dubuque,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be read a third time to-morrow.

No. 34. C. F. A bill to re-locate the Territortal Road, leading from Burlington, in Des Moines county, to Keokuck, in Lee county,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to the delagations from Lee and Des Moines counties.

No. 21, H. R. F. An act to legalize the acts of George Duden a Justice of the Peace,

Was read a third time,

And the question being put, shall the bill, pass?

It was decided in the affirmative yeas 10, nays 2.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Harris, Jenkins, R. M. G. Patterson, Leffler, Wm. Patterson, Springer, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cook, and Teas.

No. 29, C. F. A bill to legalize the acts of Jacob Mintun a Justice of the Peace.

Was read a third time.

And the question being put, shall the bill pass?

It was decided in the affirmative yeas 10, nays 2.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson Springer, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cook, and Teas.

No. 44, H. R. F. An act to authorize the county commissioners of Johnson county, to vacate a part of the Territorial road leading from Wyoming to Iowa City, also to re-locate a part of said road.

No. 47, H. R. F. An act to allow George Bomgardner and others further time to file in the Secretary's office a plat of a survey of a certain Territorial road.

No. 32, C. F. Joint Resolution, asking an appropriation to defray the expenses of a treaty with the Pottowatamies, Chippewa and Ottowa Indians.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly, and request their concurrence.

No. 21, C. F. An act relating to the office of Recorder of Deeds,

As amended by the House was taken up. And,

On motion of Mr. Springer,

The Council concurred in the amendments.

No. 50, H. R. F. A bill to re-locate a certain Territorial road.

No. 51, H. R. F. A bill for the relief of Denton J. Snyder.

Were severally read a first time.

On motion of Mr. Cox,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, January 19, 1843.

Mr. Leffler from the select committee appointed for that purpose reported
No. 38, C. F. A bill regulating weights and measures,
Which was read a first and second time.
On motion of Mr. Springer,
Ordered, That the usual number of copies of said bill be printed.
Mr. Springer, from the committee on the Judiciary, to whom was referred,
No. 22, C. F. A bill subjecting real and personal estate to execution,
Reported the same back with amendments.
Mr. Cook from the committee on enrolled bills, reported
No. 5, 6 and 21, C. F. as correctly enrolled.
No. 37, C. F. A bill to authorize Wm. Benham and David B. Sears to keep a Ferry,
Was read a second time.
On motion of Mr. Cook,
Ordered, That said bill be engrossed and read a third time to-morrow.
No. 50, H. R. F. A bill to relocate a certain Territorial road,
Was read a second time, and
On motion of Mr. Wallace,
Ordered, That said bill be read a third time to-morrow.
No. 51, H. R. F. A bill for the relief of Denton J. Snyder,
Was read a second time.
On motion of Mr. Harris,
Ordered, That said bill be read a third time to-morrow.
No. 33, C. F. A Bill concerning Mortgages,
Was read a second time.
On motion of Mr. Springer,
The Council resolved itself into a committee of the whole, for the consideration of said bill, after sometime spent therein, Mr. President resumed the chair, and Mr. Wm. Patterson reported that the committee had, according to order had said bill under consideration and instructed him to report the same with amendments, and ask the concurrence of the Council.
The question being put, will the Council concur in the amendments?
It was agreed to.
On motion of Mr. Springer,
Ordered, That said bill be engrossed and read a third time on Monday.
No. 35, C. F. A bill defining the Jurisdiction of the Supreme and District Courts.

Was read a second time.

On motion of Mr. Wallace,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cook reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with one amendment, and ask the concurrence of the Council.

The question being put will the Council concur in the amendments?

It was agreed to.

On motion of Mr. Teas,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 36, C. F. A bill to allow and regulate the action of Ejectment,

Was read a second time. And

On motion of Mr. Teas,

The Council resolved itself into a committee of the whole, for the consideration of said bill, after some time spent therein, Mr. President resumed the chair, and Mr. Harris reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put, will the Council concur in the amendments?

It was agreed to.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 22, C. F. A bill subjecting real and personal estate to execution.

Was read a second time as amended by the conmittee on the Judiciary.

The question being put, will the Council concur in the amendments made by the committee on the Judiciary?

It was agreed to.

A motion was made by Mr. Cox,

To again refer said bill to the committee on the Judiciary, with instructions to incorporate the following amendment, "provided that any person may hold or own 300 head of sheep, only subject to all laws and executions, contracted subsequent to the passage to this act.

A motion was made by Mr. Cook,

To amend said instructions by striking out 300 and inserting 100.

Mr. Springer called for a division of the question, first on striking out 300.

And the question being put, on striking out 300.

It was decided in the affirmative. Yeas 10 nays 2.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, and Springer.

A motion was made by Mr. Springer,

To fill the blank by inserting two hundred.

Which was decided in the negative.

A motion was made by Mr. Harris,

To insert one hundred and fifty,

Which was decided in the negative, yeas 3, nays 9.

The yeas and nays being desired,

Those who voted in the affirmative were

Messrs. Cox, Harris and Springer.

Those who voted in the negative, were

Messrs. Christie, Cook, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert President.

A motion was made by Mr. Cook,

To insert 100

Which was decided in the affirmative, yeas 7 nays 5.

The yeas and nays being desired,

Those who voted in the affirmative were,

Messrs. Cook, Gehon, Harris, Jenkins, Springer, Teas and Elbert President.

Those who voted in the negative were,

Messrs. Christie, Cox, Leffler, Wm. Patterson, and R. M. G. Patterson.

So the bill was recommitted with instructions to amend so that 100 sheep should be exempt from execution on contracts made after the taking effect of the above entitled act.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—I am directed to present for your signature,

An act to establish a Territorial road in Lee county.

An act to allow George Bomgardner and others further time to file in the Secretary's Office a plat of a survey of a certain Territorial road.

An act to legalize the acts of the Sheriff, of Clayton county.

An act to locate a part of a Territorial road, in Henry county.

An act to incorporate the Scott county Hydraulic company.

An act to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county, and

An act to repeal an act relative to officers of the Legislative Assembly.

I also herewith return,

An act to change the name of the town of McCarverstown in Henry county to Lowell.

An act relative to divorce, alimony, and other purposes,

All of which have been signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council, that the House have passed,

No. 38, H. R. F. A joint resolution requesting our Delegate in Congress to procure the establishment of a Post Office and for other purposes.

No. 53, H. R. F. A bill to relocate a part of a Territorial road in Henry county.

The House have also passed a substitute for

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment of the organic law,

In all of which the concurrence of the Council is requested,

And then he withdrew.

No. 30, H. R. F. An act to amend an act to incorporate the city of Dubuque,

Was read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law, as amended by the House was taken up.

A motion was made by Mr. Springer,

That the Council do not agree to the amendments made by the House to said bill.

And the question being put,

It was decided in the affirmative, yeas 8, nays 4.

The yeas and nays being desired by Mr. Leffler,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Harris, Wm. Patterson, R. M. G. Patterson, Springer, Teas, and Elbert President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Jenkins and Leffler.

No. 38, H. R. F. A joint resolution requesting our Delegate in Congress to procure the establishment of a Post Office and for other purposes,

No. 53, H. R. F. A bill to relocate a part of a certain Territorial road in Henry county,

Were severally read a first time.

Mr. Harris on leave being granted, presented the petition of John Hawkins, praying for the relief for the widow of James M. Hawkins deceased, former Postmaster at Iowa City.

On motion of Mr. Harris,

Ordered, That said petition be referred to the committe on claims.

On motion of Mr. Springer,

The Council adjourned until to-morrow morning at 10 o'clock.

Friday Morning, January 20, 1843.

Mr. Wallace, from the committee on the Revision of the laws, reported,
No. 39, C. F. A bill concerning Costs and Fees,
Which was read a first time.
On motion of Mr. Wallace,
Ordered, That the usual number of copies of said bill be printed.
Mr. Wallace from the committee on engrossed bills, reported
No. 33, and 37, C. F. as correctly engrossed.
Mr. Cook from the committee on enrolled bills, reported
That they did, on the 19th inst. present to the Governor, for his approval,
An act to change the name of McCarverstown in Henry county, to Lowell. Also,
An act relative to Divorce, Alimony, and other purposes.
On motion of Mr. Leffler,
Ordered, That Mr. Cook be added, as chairman, to the committee to which was referred,
A bill regulating the keeping of Stallions and Jacks, and to improve the breed of horses, with instructions to report to-morrow morning.
Mr. Wm. Patterson, from the committte on Territorial Affairs, reported back, without amendment,
No. 22, H. R. F. Memorial for an appropriation for a canal at each of the Rapids of the Mississippi.
Mr. Christie from the committee on the Revision of the Laws, reported,
No. 40, C. F. A bill to regulate Ferries.
Which was read a first time.
Mr. Leffler, on leave being granted, introduced
No. 41, C. F. A bill supplementary to an act entitled an act to regulate Mills and Millers, and for other purposes, approved, January 25, 1839.
Which was read a first time.
Mr. Springer from the committee on the Judiciary, to which was referred,
No. 22, C. F. A bill subjecting real and personal estate to execution, reported the same back with amendments.
Mr. Springer from the committee on the Judiciary, reported
No. 42, C. F. A bill to provide for the election of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings,
Which was read a first time.
On motion of Mr. Wm. Patterson,
Ordered, That the usual number of copies of said bill be printed.

No. 38, H. R. F. A Joint Resolution, requesting our Delegate in Congress to procure the establishment of a Post Office, and for other purposes,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said resolution be read a third time to-morrow.

No. 38, C. F. A bill regulating Weights and Measures,

Was read a second time.

On motion of Mr. Leffler,

The Council resolved itself into committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Springer, reported that the committee had, according to order, had the same under consideration, and instructed him to report the same, with sundry amendments, and ask the concurrence of the Council,

And the question being put; Will the Council concur in the amendments?

It was decided in the affirmative.

On motion of Mr. Leffler,

Ordered, That said bill be engrossed and read a third time on Tuesday next.

No. 53, H. R. F. A bill to re-locate a part of a Territorial road in Henry county.

Was read a second time.

On motion of Mr. Cook,

Ordered, To be read a third time on to-morrow.

No. 22, C. F. A bill subjecting real and personal estate to execution as as amended by the committee on the Judiciary, was taken up.

A motion was made by Mr. Springer,

That the Council concur in the amendments pending which

Mr. Springer moved a call of the Council, which was had, and on the roll being called, all the members answered to their names except Mr. Wallace.

The Sergeant-at-arms was directed to require the attendance of the absentee, after a short time,

On motion of Mr. Leffler,

Ordered, That said bill be laid on the table until to-morrow.

No. 50, H. R. F. An act to relocate a certain Territorial road.

No. 51, H. R. F. An act for the relief of Denton J. Snyder.

No. 37, C. F. An act to authorize Wm. Benham, and David B. Sears to keep a Ferry.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

The President, announced a communication from the Governor on Executive business.

On motion of Mr. Leffler,

Ordered, That the Couucil resolve itself into an Executive session.

After some time spent therein the Executive session rose.

No. 41, C. F. A bill supplementary to an act entitled an act to regulate Mills and Millers, and for other purposes, approved, January 25th 1839,

Was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be referred to the committee on the Judiciary.

On motion of Mr. Gehon,

The Council adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, January 21, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—The House have passed,

No. 12, C. F. An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque.

No. 29, C. F. An act to legalize the acts of Jacob Mintun, a Justice of the Peace.

No. 30, An act to establish a Seminary of Learning at Grandview in Louisa county.

No. 32, C. F. Joint resolution asking an appropriation to defray the expenses of a treaty with the Pottawatomie, Chippewa and Ottowa Indians.

Also,

No. 46, H. R. F. A bill for the prevention of certain immoral practices,

In which the concurrence of the Council is requested.

I herewith return,

An act to prohibit and punish the sale of intoxicating liquors to Indians,

An act relating to the office of Recorder of Deeds, and,

An act to repeal an act entitled an act relating to auctioneers and auction sales, approved January 17th 1840.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Cook presented the petition of sundry citizens of Linn county, praying for the passage of an act for the observance of the sabbath.

On motion of Mr. Cook,

Ordered, That said petition do lie upon the table.

Mr. R. M. G. Patterson, from the committee on incorporations, reported,

No. 43, C. F. A bill to incorporate the Muscatine Farmers' and Mechanics' Exchange company,

Which was read a first time.

Mr. Leffler from the committee on the Judiciary, reported back

No. 41, C. F. A bill regulating Mills and Millers, and for other purposes, with amendments

Mr. Cook from the committee to which was referred,

No. 29, H. R. F. A bill regulating the keeping of Stallions and Jacks, and to improve the breed of horses, reported the same back without amendment.

Mr. Leffler, from the select committee appointed for that purpose, reported

No. 44, C. F. A bill to relocate a Territorial road leading from Burlington in Des Moines county, via Fort Madison in Lee county, to the bridge on Devil's creek, in said county.

Which was read a first time.

Mr. Wallace, from the committee on the Revision of the laws, reported,

No. 47, C. F. A bill relative to Promissory Notes, Bonds, Duebills and other instruments of writing,

Which was read a first time.

No. 22, C. F. A bill subjecting real and personal estate to execution, being on its second reading,

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole, for the consideration of said bill,

After some time spent therein, Mr. President resumed the chair, and Mr. Teas reported that the committee had, according to order had said bill under consideration and instructed him to report the same with sundry amendments, and ask the concurrence of the Council.

And the question being on concurring in the following amendment,

That in addition to the property exempt from execution and attachment, in the preceding section, it shall be lawful for the defendant to claim as exempt from process founded upon contracts hereafter made, fifty head of sheep and the wool that may be shorn therefrom,

It was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Gehon, Jenkins, R. M. G. Patterson, Teas Wallace, and Elbert, President.

Those who voted in the negative were,

Messrs. Cox, Harris, Leffler, Wm. Patterson, and Springer.

A motion was made by Mr. Cox,

To refer the bill to a select committee of one from each electoral district,

Which was decided in the negative.

A motion was made by Mr. Cook,

To amend the 14th section of said bill as follows,

Provided, such stay shall not be allowed on judgments upon contracts already made.

And the question being put,

It was decided in the negative, yeas 6, nays 7.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were
Messrs. Cook, Gehon, Jenkins, Leffler, Wm. Patterson, and Wallace.
Those who voted in the negative, were
Messrs. Christie, Cox, Harris, R. M. G. Patterson, Springer, Teas and Elbert President.
A motion was made by Mr. Wallace,
That the Council adjourn until 2 o'clock.
Which was decided in the negative, yeas 6 nays 7.
The yeas and nays being desired by Mr. Springer,
Those who voted in the affirmative were,
Messrs. Christie, Cook, Jenkins R. M. G. Patterson, Wallace and Elbert President.
Those who voted in the negative, were
Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson, Springer, and Teas.
A motion was made by Mr. Cook,
That said bill do lie upon the table.
Which was decided in the negative, yeas 4, nays 9.
The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Cook, Jenkins, Wallace and Elbert President.
Those who voted in the negative were,
Messrs. Christie, Cox, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, and Teas.
A motion was made by Mr. Leffler,
To strike out the 6th section of said bill.
The President decided the motion of Mr. Leffler, out of order.
A motion was made by Mr. Cox,
To engross said bill for a third reading on Wednesday,
Which was decided in the affirmative. Yeas 10 nays 3.
The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Christie, Cox, Gehon, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.
Those who voted in the negative were,
Messrs. Cook, Leffler, and Wallace.
A motion was made by Mr. Wallace,
That the Council adjourn until 2 o'clock, P. M.
A motion was made by Mr. Springer,
To amend the motion
That the Council adjourn until Monday morning at 10 o'clock.
Which was decided in the negative, yeas 6, nays 7.
The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Cox, Gehon, Harris, R. M. G. Patterson, Springer, and Wallace.
Those who voted in the negative were,
Messrs. Christie, Cook, Jenkins, Leffler, Wm. Patterson, Teas and Elbert, President.

The question then recurring on the motion to adjourn until 2 o'clock P. M.
Was decided in the affirmative yeas 9, nays 4.
The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Christie, Cook, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.
Those who voted in the negative, were
Messrs. Cox, Gehon, Harris and Wallace.

2 O'CLOCK, P. M.

Mr. Springer asked leave of absence for Mr. Harris,
Leave was granted.
No. 22, H. R. F. A memorial to Congress for an appropriation for a canal at each of the rapids of the Mississippi.
Was read a second time.
On motion of Mr. Wallace,
The Council resolved itself into a committee of the whole, for the consideration of said bill, after some time spent therein, Mr. President resumed the chair, and Mr. Leffler reported, that the committee had, according to order, had said memorial under consideration, and instructed him to report the same without amendments,
The Council concurred in the report of the committee.
On motion of Mr. Wallace,
Ordered, That said memorial be read a third time on Monday next.
A message from the House of Representatives by Mr. Wallace, their Chief Clerk.
MR. PRESIDENT:—I am directed to inform the Council that the House of Representatives have passed,
No. 58, H. R. F. A bill to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi river, at the town of Wyoming.
No. 59, H. R. F. A bill to amend an act for the incorporation of the town of Farmington.
No. 60, H. R. F. A bill to legalize the location of a certain Territorial road,
In which the concurrence of the Council is requested.
I am also directed to inform the Council that the House insist upon all their amendments to
No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law.
I herewith present for your signature,
An act to authorize the county commissioners of Johnson county to vacate a part of the Territorial road, leading from Wyoming to Iowa City, also to relocate a part of said road, and
An act to legalize the acts of George Duden a Justice of the Peace.
The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 40, C. F. A bill regulating Ferries,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Gehon reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments, and ask the concurrence of the Council.

The question being put will the Council concur in the amendments?

It was agreed to.

A motion was made by Mr. Gehon,

To amend said bill by striking out the words "two miles" and inserting the words "half mile," in the 12th section, pending which,

On motion of Mr. Cox,

Ordered, That said bill do lie upon the table.

No. 29, H. R. F. A bill to regulate the keeping of stallions and jacks and to improve the breed of horses,

Which was read a first time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on Internal Improvements.

No. 41, C. F. A bill regulating mills and millers and for other purposes,

Was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 38, H. R. F. A joint resolution requesting our Delegate in Congress to procure the establishment of a Post Office and for other purposes.

No. 53, H. R. F. A bill to relocate a part of a Territorial road in Henry county.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly.

No. 46, H. R. F. A bill for the prevention of certain immoral practices,

Was read a first time.

On motion of Mr. Springer,

Ordered, That a committee of conference be appointed to confer with a similar committee to be appointed on the part of the House of Representatives, on the subject of the disagreement between the two Houses on the amendments made by the House to

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law,

Messrs. Springer, Leffler and Wm. Patterson were appointed said committee.

No. 58, H. R. F. A bill to authorize Henry De Camp and Sam'l. H. Col-

yer to keep a ferry across the Mississippi river, at the town of Wyoming.

No. 59, H. R. F. A bill to amend an act entitled an act for the incorporation of the town of Farmington.

No. 60, H. R. F. A bill to legalize a location of a certain Territorial road.

Were severally read a first time.

The President laid before the Council a communication from the Governor, on Executive business,

On motion of Mr. Teas,

Ordered, That the Council resolve itself into Executive Session.

After a short time the Executive Session rose.

Mr. Cook gave notice, that he would on some future day, introduce

A bill to legalize a certain Territorial road.

Mr. Cook presented the account of John Powell for moving furniture, &c.

On motion of Mr. Cook,

Ordered, That said account be referred to the committe on claims.

No. 44, C. F. A bill to relocate the Territorial road leading from Burlington in Des Moines county via Fort Madison in Lee county, to the bridge on Sugar Creek in said county,

Was read a second time.

On motion of Mr. Leffler,

The 13th rule was suspended, and the bill read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly and request their concurrence.

On motion of Mr. Leffler,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, January 23, 1843.

Mr. Teas presented the petition of sundry citizens of Jefferson and Van Buren counties, praying for the passage of a law for the observance of the Sabbath.

On motion of Mr. Teas,

Ordered, That said petition do lie upon the table.

Mr. Teas presented the petition of sundry citizens of Jefferson county, praying for the relocation of a part of the Territorial road leading from Mount Pleasant in Henry county to Fairfield in Jefferson county, which lies between Rome and Glasgow, also

A remonstrance against the relocation of said road.

On motion of Mr. Teas,

Ordered, That the petition and remonstrance be referred to the committee on Roads.

Mr. Springer, presented the petition of sundry citizens of Louisa county, praying for the removal of the Ferry at Wappello, (known as the free ferry) so far up the river as to be kept opposite Van Buren street, in the town of Wapello.

On motion of Mr. Springer,

Ordered, That said petition be referred to a select committee,

Messrs. Springer, Wallace and Cox, were appointed said committee.

Mr. Teas reported the following resolution,

No. 46, C. F. Resolved by the Council and House of Representatives of the Territory of Iowa,

That the Secretary of the Territory be and he is hereby authorized to receive sealed proposals for two weeks, from the different editors in this Territory for the printing of the laws passed at this session of the Legislative Assembly,

Which was read a first time.

Mr. Wallace asked leave of absence for Mr. Christie,

Leave was granted.

Mr. Wm. Patterson from the select committee appointed for that purpose, reported

No. 47, C. F. A bill to divorce Mary Ann Smiley from her husband Reuben Smiley,

Which was read a first time.

A motion was made by Mr. Teas,

To reject said bill,

Which was decided in the negative, yeas 2 nays 9.

The yeas and nays being desired,

Those who voted in the affirmative were,

Messrs. Springer and Teas.

Those who voted in the negative, were

Messrs. Cox, Cook, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Wallace and Elbert President.

Mr. Wm. Patterson, from the select committte appointed for that purpose, reported

No. 48, C. F. A bill to divorce Lusena Scott, from her hasband, Rothens Howard Scott.

Which was read a first time.

Mr. Wallace from the committee on engrossed bills, reported

No. 41, C. F. as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported

An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque.

An act to legalize the acts of Jacob Mintum, a Justice of the Peace.

An act to establish a Seminary of learning at Grandview in Louisa county, also,

Joint Resolution, asking an appropriation to defray the expenses of a treaty with the Pottowatamies, Chippewa and Ottowa Indians.

Mr. Cook from the committee on the Revision of the laws, reported

No. 49, C. F. A bill for opening and regulating roads and highways,

Which was read a first time.

No. 46, H. R. F. A bill for the prevention of certain immoral practices,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 58, H. R. F. A bill to authorize Henry De Camp and Sam'l. H. Colyer to keep a ferry across the Mississippi river, at the town of Wyoming.

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill do lie upon the table.

No. 59, H. R. F. A bill to amend an act entitled an act for the incorporation of the town of Farmington.

Was read a second time.

On motion of Mr. Jenkins,

Ordered, That said bill be read a third time to-morrow.

No. 60, H. R. F. A bill to legalize the location of a certain Territorial road,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

No. 43, C. F. A bill to incorporate the Muscatine Farmers' and Mechanics' Exchange company,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill do lie upon the table.

No. 45, C. F. A bill relative to Promissory Notes, Bonds, Duebills and other instruments of writing,

Was read a second time.

On motion of Mr. Teas,

The Council resolved itself into committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cox, reported that the committee had, according to order, had the same under consideration, and instructed him to report the same, with two amendments, and ask the concurrence of the Council,

The question being put, will the Council concur in the first amendment?

It was agreed to.

The question being put, on concurring in the second amendment?

It was decided in the negative.

On motion of Mr. Teas,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 39, C. F. A bill concerning Costs and Fees,

Was read a second time.

On motion of Mr. Cook,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Wallace reported, that the committee had, according to order, had said bill under consideration, and had made some progress therein and asked leave to sit again.

Leave was granted.

The President announced a communication from the Governor, on Executive business,

On motion of Mr. Springer,

The Council resolved itself into an Executive Session.

After a short time the Executive Session rose.

Mr. Cook, on leave being granted, introduced

No. 50, C. F. A bill to legalize the location of a certain Territorial road.

Which was read a first time.

On motion of Mr. Springer,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, January 24, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—

I herewith present for your signature,

An act to relocate a certain Territorial road.

An act to amend an act to Incorporate the city of Dubuque.

I also herewith return,

Joint resolution asking an appropriation to defray the expenses of a treaty with the Pottawatomie, Chippewa and Ottowa Indians.

An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque.

An act to establish a Seminary of Learning at Grandview in Louisa county.

An act to legalize the acts of Jacob Mintun, a Justice of the Peace.

The same being signed by the Speaker of the House of Representatives.

The House have also passed with amendments,

No. 24, C. F. A bill to authorize evidence by the oath of parties,

In which the concurrence of the Council is requested.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Wm. Patterson presented the petition of sundry citizens of Lee county, praying for the vacation of a part of the streets and alleys of the town of Denmark, in Lee county.

Mr. Wm. Patterson presented the petition of sundry citizens of Denmark in Lee county, praying the Legislature to grant them a charter for an Academy, to be known by the name of "the Denmark Academy."

On motion of Mr. Wm. Patterson,

Ordered, That said petitions be referred to a select committee,

Messrs. Wm. Patterson, Gehon and Jenkins,

Were appointed said committee.

Mr. Leffler presented the petition of Maria S. Blanchard, praying to be divorced from her husband David Blanchard.

On motion of Mr. Leffler,

Ordered, That said petition do lie upon the table.

On motion of Mr. Cook,

Resolved, That the committee on Territorial affairs, be instructed to inquire into the expediency of investing the funds now in the hands of the Territorial Treasurer, being the amount received by the Territory of Iowa, by virtue of the distribution law, in government lands, for the use and support of common schools.

Mr. Cook from the committee on engrossed bills, reported

No. 38, C. F. as correctly engrossed.

Mr. Wallace, from the committee on the Revision of the laws, reported,

No. 51, C. F. A bill regulating practice in the Supreme and District Courts,

Which was read a first and second time.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 22, H. R. F. Memorial for an appropriation for a canal at each of the Rapids of the Mississippi.

No. 33, C. F. A Bill concerning Mortgages,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly, and request their concurrence.

No. 46, C. F. A joint resolution authorizing the Secretary of the Territory to receive proposals for printing the laws of the present session,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said resolution do lie upon the table.

No. 47, C. F. A bill to divorce Mary Ann Smiley from her husband Reuben Smiley,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill do lie upon the table.

No. 48, C. F. A bill to divorce Lusena Scott, from her hasband, Roth ens Howard Scott.

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill do lie upon the table.

No. 49, C. F. A bill for opening and regulating roads and highways,

Was read a second time.

On motion of Mr. Wm. Patterson,

The Council resolved itself into a committee of the whole, for the consideration of said bill,

After some time spent therein, Mr. President resumed the chair, and Mr. Wm. Patterson reported that the committee had, according to order had said bill under consideration and instructed him to report the same with sundry amendments, and ask the concurrence of the Council.

The Council concurred in all the amendments except the one to the fourth section,

Which was disagreed to,

Which reads as follows:

Provided, further said change shall not be made through any improvement of one years standing, without the consent of the owner, if equally good ground can be otherwise had without materially increasing the length of said road.

On motion of Mr. Wallace,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was read a third time and passed.

Ordered, That the Secretary notify the House of Representatives of the same and request their concurrence.

No. 50, C. F. An act to legalize the location of a certain Territorial road.

Was read a second time, and

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have appointed,

Messrs. Robertson, Hepner and Andros, a committee of conference in relation to the disagreeing vote of the two Houses upon,

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law,

And then he withdrew.

No. 41, C. F. An act regulating Mills and Millers, and for other purposes,

No. 59, H. R. F. An act to amend an act entitled an act for the incorporation of the town of Farmington.

No. 60, H. R. F. An act to legalize the location of certain Territorial roads.

No. 38, C. F. An act to regulate weights and measures,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of the same, and request their concurrence.

No. 24, C. F. An act to authorize evidence by the oath of parties, as amended by the House of Representatives,

Was taken up, and the amendments severally concurred in.

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole on

No. 39, C. F. A bill concerning costs and fees.

After sometime spent therein, Mr. President resumed the chair, and Mr. Wallace reported progress and asked leave to sit again.

Leave was granted.

On motion of Mr. Cook,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—The House have passed,

No. 61, H. R. F. A bill to establish a Seminary of learning at Nashville.

No. 34, H. R. F. A bill for the relief of Walter Butler.

No. 63, H. R. F. A bill for the relief of B. W. Gillock, ex-Sheriff of Lee county.

No. 64, H. R. F. A bill to establish a certain Territorial road.

No. 57, H. R. F. A bill establishing the prices of printing,

In all of which the concurrence of the Council is requested.

The House have also passed without amendment,

No. 37, C. F. An act to authorize Wm. Benham, and David B. Sears to keep a Ferry.

I also herewith return for your signature,

An act for the relief of Denton J. Snyder, also

An act to relocate a part of a certain Territorial road in Henry county, and

A joint resolution requesting our Delegate in Congress to procure the establishment of a Post Office and for other purposes.

And then he withdrew.

The President then signed the above entitled acts.

No. 34, H. R. F. A bill for the relief of Walter Butler.

No. 57, H. R. F. A bill establishing the prices of Printing.

No. 61, H. R. F. A bill to establish a Seminary of learning at Nashville.

No. 63, H. R. F. A bill for the relief of B. W. Gillock.

No. 64, H. R. F A bill to establish a certain Territorial Road.

Were severally read a first time.

On motion of Mr. Cox,

The Council resolved itself into a committee of the whole for the consideration of

No. 39, C. F. A bill concerning costs, and fees.

After sometime spent therein Mr. President resumed the chair, and Mr. Wallace reported the same back with sundry amendments, and asked the concurrence of the Council.

A motion was made by Mr. Wallace,

To amend said bill by adding the following:

This act to take effect and be in force from and after the 20th day of February next.

Which was agreed to.

A motion was made by Mr. Springer,

To amend the 16th section of said bill, by allowing the Sheriff one dollar and fifty cents per day for attending the District Court,

And the question being put, it was decided in the negative, yeas 5, nays 7.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Harris, Wm. Patterson, R. M. G. Patterson, Springer and Wallace.

Those who voted in the negative were,

Messrs. Cox, Cook, Gehon, Jenkins, Leffler, Teas and Elbert President.

A motion was made by Mr. Teas,

To disagree to the amendment allowing the Sheriff for summoning the Grand and Petit Jurors to be paid out of the county treasury for each panel eight dollars.

Which was decided in the negative, yeas 4 nays 8.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative were,

Messrs. Cook, Harris, Teas and Elbert President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer and Wallace.

The other amendments of the committee were all concurred in.

On motion of Mr. Gehon,

Ordered, That said bill be engrossed and read a third time on Thursday.

On motion of Mr. Cook,

The Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, January 25, 1843.

The President, presented the petition of sundry citizens of Van Buren county, praying the Legislature to grant a license to Cyrus Gibson to keep a Ferry for foot passengers across the mouth of Chequest creek in Van Buren county.

Which was laid upon the table.

Mr. Wallace from the committee on engrossed bills, reported
No. 22, C. F. As correctly engrossed.
Mr. Cook from the committee on enrolled bills, reported
No. 24, C. F. An act to authorize evidence of parties. Also,
No. 37, C. F. An act to authorize Wm. Benham and David B. Sears, to keep a Ferry.
As correctly enrolled.
Mr. Cook from the committee on enrolled bills, reported,
That they did on the 24th inst. present to the Governor for his approval,
An act to legalize the acts of Jacob Mintun a Justice of the Peace.
An act to locate a Territorial road from Jonathan H. Jenkins', in Linn county to the city of Dubuque.
A Joint Resolution to defray the expenses of a Treaty with the Pottawattamie, Chippewa and Ottawa Indians.
An act to establish a seminary of learning at Grandview, in Louisa county.
An act relating to the office of Recorder of Deeds.
An act to repeal an act entitled an act relating to Auctioneers and Auction Sales, approved January 17, 1840.
Also,
An act to prohibit and punish the sale of intoxicating liquors to Indians.
Mr. Gehon, from the committee on Internal Improvements, reported back
No. 29, H. R. F. A bill regulating the keeping of Stallions and Jacks, and to improve the breed of horses, without amendment.
Mr. Wm. Patterson from the select committee appointed for that purpose, reported
No. 52, C. F. A bill to vacate certain streets and alleys in the town of Denmark, Lee county.
Which was read a first time.
Mr. Springer, from the committee on the Judiciary, reported back,
No. 35, C. F. A bill defining the Jurisdiction of the Supreme and District Courts. Also,
A bill regulating practice in the Supreme and District Courts, with amendments.
No. 34, H. R. F. A bill for the relief of Walter Butler,
Was read a second time.
On motion of Mr. Wallace,
Ordered, That said bill be referred to the committe on claims.
No. 57, H. R. F. A bill establishing the prices of Printing.
Was read a second time.
On motion of Mr. Springer,
Ordered, That said bill be referred to the select committe on Printing.
No. 61, H. R. F. A bill to establish a seminary of learning at Nashville,
Was read a second time.
On motion of Mr. Wm. Patterson,
Ordered, That said bill be read a third time on to-morrow.
No. 63, H. R. F. A bill for the relief of B. W. Gillock, ex-sheriff of Lee county.

Was read a second time.

On motion of Mr. Wm. Patterson

Ordered, That said bill be read a third time to-morrow.

No. 60, H. R. F. A bill to establih a certain Territorial road,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

No. 50, C. F. An act to legalize the location of a certain Territorial road.

Was read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly, and request their concurrence.

No. 22, C. F. A bill subjecting real and personal estate to execution,

Was read a third time.

And the question being put, shall the bill, pass?

It was decided in the affirmative, yeas 9, nays 3.

The yeas and nays being desired by Mr. Leffler,

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Cook, Leffler, and Wallace.

Ordered, That the Secretary notify the House of Representatives accordingly and request their concurrence.

No. 35, C. F. A bill defining the jurisdiction of the Supreme and District courts.

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole, for the consideration of said bill,

After some time spent therein, Mr. President resumed the chair, and Mr. Springer, reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment, and ask the concurrence of the Council.

The Council concurred in the amendment.

On motion of Mr. Jenkins,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 51, C. F. A bill regulating Practice in the Supreme and District Courts,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself into committee of the whole for the consideration of said bill,

After some time spent therein Mr. President, resumed the chair, and Mr. Cox, reported that the committee had according to order, had said bill under consideration, and instructed him to report the same back with amendments and ask the concurrence of the Council.

The Council concurred in the amendments.

A motion was made by Mr. Cook,

To amend the 39th section of said bill, by striking out the words "Judgment, of the court below shall stand confirmed," and insert the words "cause shall stand confirmed until all the Judges are on the Bench."

In which the Council concurred.

A motion was made by Mr. Harris,

To amend said bill by striking out the words "the one-half to the use of the county where such court is held and the other half to the use of any person who will sue for the same," and insert the words, "which fine when collected shall be applied to the use of common schools in said county."

Which was decided in the negative.

On motion of Mr. Cox,

Ordered, That said bill be engrossed and read a third time on Saturday.

No. 29, H. R. F. A bill to regulate the keeping of stallions and jacks and to improve the breed of horses,

Was read a second time.

On motion of Cook,

Ordered, That the 13th rule be suspended, and the bill be read a third time now.

Ordered, That the Secretary notify the House accordingly.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—The House have passed,

No. 23, H. R. F. A bill to repeal the Miners' Bank of Dubuque and to provide for winding up the affairs of the same,

In which the concurrence of the Council is requested.

I also herewith present for your signature.

An act to legalize the location of certain Territorial Roads. And

An act to amend an act entitled an act for the incorporation of the town of Farmington.

The same having been signed by the Speaker of the House of Representatives,

And then he withdrew.

The President then signed the above entitled acts.

No. 23, H. R. F. A bill to repeal the charter of the Miner's Bank of Dubuque and to provide for winding up the affairs of the same.

Was read a first time.

On motion of Mr. Jenkins,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, January 26, 1843.

Mr. Harris, presented the petition of Jesse Bowen and others, citizens of Johnson county, praying the Legislature to incorporate an institution of learning to be denominated, *The Iowa City College*, and donate an eligible piece of ground for the same.

On motion of Mr. Harris,

Ordered, That said petition be referred to the committee on Incorporations.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I herewith return,

An act to authorize Wm. Benham and David B. Sears, to keep a Ferry.

A bill to authorize evidence by the oath of parties.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Wallace from the committee on engrossed bills, reported

No. 35, and 39, C. F. As correctly engrossed.

Mr. Wm. Patterson from the select committee appointed for that purpose reported,

A bill to incorporate an academy at Denmark, in Lee county.

Which was read a first time.

Mr. Leffler, from the select committee on Printing, reported back with amendments,

No. 37, H. R. F. A bill establishing the prices of printing,

Mr. Harris, from the committee on roads, to whom was referred the petition of sundry citizens of Jefferson county, praying for an alteration in a certain Territorial Road; and the remonstrance against said alteration, reported,

That in the opinion of said committee, the prayer of said petitioners should not be granted, and asked to be discharged from the further consideration thereof.

Which was agreed to.

Mr. Leffler, on leave being granted, introduced

No. 54, C. F. A bill to divorce Maria S. Blanchard, from her husband David Blanchard.

Which was read a first time.

Mr. Jenkins gave notice that he would on to-morrow, or some future day introduce,

A bill authorizing the Judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county.

No. 23, H. R. F. A bill to repeal the charter of Miners' Bank of Dubuque and to provide for winding up the affairs of the same.

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 52, C. F. A bill to vacate certain streets and alleys in the town of Denmark, Lee county.

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 57, H. R. F. A bill establishing the prices of Printing.

Was read a second time.

On motion of Mr. Leffler,

The Council resolved itself into a committee of the whole, for the consideration of said bill,

After some time spent therein, Mr. President resumed the chair, and Mr. Leffler, reported that the committee had, according to order had said bill under consideration and instructed him to report the same with amendment, and ask the concurrence of the Council.

The Council concurred in the amendment.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be read a third time on Saturday.

No. 61, H. R. F. A bill to establish a Seminary of learning at Nashville.

No. 63, H. R. F. A bill for the relief of B. W. Gillock, ex-sheriff of Lee county.

No. 64, H. R. F An act to establish a certain Territorial Road.

No. 35, C. F. An act defining the Jurisdiction of the Supreme and District Courts.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly, and request their concurrence.

No. 39, C. F. A bill concerning costs and fees.

Was read a third time.

And the question being put, shall the bill pass?

It was decided in the affirmative, yeas 9, nays 3.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Jenkins, Wm. Patterson, Leffler, R. M. G. Patterson, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Cook, Springer, and Teas.

So the bill passed.

Ordered, That the Secretary notify the House of Representatives accordingly and request their concurrence.

On motion of Mr. Harris,

Ordered, That

No. 58, H. R. F. A bill to authorize Henry De Camp and Sam'l. H. Col-

yer to keep a ferry across the Mississippi river, at the town of Wyoming, be taken from the table, and referred to the committee on incorporations.

Mr. Harris presented the petition of sundry citizens of Muscatine county relative to said ferry, which,

On motion of Mr. Harris,

Was referred to the committee on Incorporations.

On motion of Mr. Wm. Patterson,

Ordered That

No. 53, C. F. A bill to incorporate an Academy in Denmark, Lee county, be read a second time now.

The bill was read a second time.

On motion of Mr. Wm. Patterson

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was read a third time and passed.

Ordered, That the Secretary notify the House of the same, and request their concurrence.

On motion of Mr. Harris,

Ordered That

No. 43, C. F. A bill to incorporate the Muscatine Farmers' and Mechanics' Exchange company, be taken from the table, and recommitted to the committee on Incorporations.

On motion of Mr. Harris,

The Council adjourned until to-morrow morning at 10 o'clock.

Friday Morning, January 27, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have passed,

No. 56, H. R. F. A bill relative to mechanic's leins, and other purposes, and

No. 66, H. R. F. A bill granting further time to Henry Harden to file the plat of a Territorial road in the office of the Secretary.

In which the concurrence of the Council is requested.

I herewith present for your signature,

An act regulating the keeping of Stallions and Jacks, and to improve the breed of horses,

And then he withdrew.

The President then signed the above entitled act.

On motion of Mr. Harris,

Resolved, That James W. Wood, late Secretary of the Council for his attendance and services during the present Session of the Council, be allowed the sum of thirty-four dollars.

Mr. Jenkins according to previous notice introduced

No. 55, C. F. A bill authorizing the Judge of Probate of Van Buren county, to appoint a suitable person to transcribe the Probate records of said county,

Which was read a first time.

Mr. Cook from the committee on enrollments, reported

That they did on the 25th inst, present to the Governor for his approval, the following entitled acts,

An act to authorize Wm. Benham, and David B. Sears to keep a Ferry, and

An act to authorize evidence by the oath of parties.

Mr. Springer from the committee of conference to whom was referred

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law,

Reported, That they had attended to the duties assigned them, and agreed to recommend to their respective Houses, the passage of the joint resolution as amended by the House of Representatives.

Mr. Springer from the committee on the Judiciary, reported back

No. 45, C. F. A bill relative to Promissory Notes, Bonds, Duebills and other instruments of writing, without amendment.

Mr. Cox from the select committee, appointed for that purpose reported

No. 56, C. F. A bill to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes,

Which was read a first time.

On motion of Mr. Wm. Patterson,

Ordered, That the usual number of copies of said bill be printed.

No. 54, C. F. A bill to divorce Maria S. Blanchard from her husband David Blanchard,

Was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill do lie upon the table, subject to the order of the Council.

No. 45, C. F. A bill relative to promissory notes, bonds, due-bills, and other instruments of writing,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 52, C. F. An act to vacate certain streets and alleys in the town of Denmark, Lee county,

Was read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly, and request their concurrence.

No. 8, C. F. Joint resolution instructing our Delegate in Congress to procure an amendment to the organic law,

Was taken up together with the report of the committee of conference thereon.

A motion was made by Mr. Springer,

To recede from the disagreeing vote on said resolution,

And the question being put, it was decided in the negative, yeas 4, nays 8.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Jenkins, Springer, Wallace and Elbert President.

Those who voted in the negative were,

Messrs. Cox, Cook, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson and Teas.

So the resolution was lost.

No. 56, H. R. F. A bill relative to Mechanic's leins and other purposes.

No. 66, H. R. F. An act granting further time to Henry Harden to file the plat of a Territorial road in the office of the Secretary.

Were severally read a first time.

No. 55, C. F. A bill authorizing the Judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county,

Was read a second time.

On motion of Mr. President,

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Harris presented the account of John B. Russell, for Printing the Journal of the Council for the last session of the Legislature.

On motion of Mr. Harris,

Ordered, That said account be referred to the committee on claims.

Mr. Wallace asked leave of absence for Mr. Jenkins until Monday morning,

Leave was granted.

Mr. Springer asked leave of absence for Mr. Harris until Monday morning,

Leave was granted.

On motion of Mr. Gehon,

The Council adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, January 28, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—

I am directed to inform the Council that the House have passed,

No. 27, H. R. F. A bill to prevent and punish gaming.

No. 75, H. R. F. A joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives, Session 1841–'42.

Also with amendments.

No. 49, C. F. A bill for opening and regulating roads and highways,

In which the concurrence of the Council is requested.

I also herewith present for your signature,

An act for the relief of B. W. Gillock, ex-sheriff of Lee county, and

An act to establish a certain Territorial road,

The same being signed by the Speaker of House of Representatives,

And then he withdrew.

The President then signed the above entitled acts.

Mr. Cook presented the remonstrance of sundry citizens of Linn county against the relocation of that part of the Territorial road, leading from Bloomington via Tipton, to Marion, which lies between Clear-creek and Wm. Abbes.

On motion of Mr. Cook,

Ordered, That said remonstrance be referred to the committee on roads.

Mr. Wallace from the committee on engrossed bills, reported

Nos. 51, and 55 as correctly engrossed.

Mr. R. M. G. Patterson from the committee on Incorporations, reported back

No. 58, H. R. F. A bill to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi river, at the town of Wyoming, and recommended its passage.

Mr. R. M. G. Patterson from the committee on Incorporations, reported back

No. 43, C. F. A bill to incorporate the Muscatine, Farmers and Mechanics Exchange company, and asked to be discharged from the further consideration of said bill, and that it do not pass,

Which was agreed to.

Mr. Springer gave notice, that he would on Monday introduce

A bill to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river.

No. 56, H. R. F. A bill relative to Mechanics leins and other purposes,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 66, H. R. F. A bill granting further time to Henry Harden to file the plat of a Territorial road in the office of the Secretary,

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill be read a third time on Monday.

No. 58, H. R. F. A bill authorizing Henry De Camp and Sam'l H. Colyer to keep a ferry across the Mississippi river at the town of Wyoming,

Was read a second time.

On motion of Mr. Wallace,

Ordered, That said bill be read a third time on Monday.

No. 57, H. R. F. A bill establishing the prices of public Printing.

Was read a third time.

A motion was made by Mr. Cook,

So to amend said bill,

That the Secretary of the Council and chief clerk of the House of Representatives, be allowed each the sum of three hundred and fifty dollars for indexing and superintending the printing of the Journals of their respective Houses, and distributing the same,

Which was agreed to, and the bill passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 51, C. F. A bill regulating Practice in the Supreme and District Courts,

Was read a third time and passed.

On motion of Mr. Springer,

Ordered, That the words "supreme and" be stricken out of the title of said bill.

No. 55, C. F. An act authorizing the Judge of Probate of Van Buren county, to appoint a suitable person to transcribe the Probate Records of said county,

Was read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 49, C. F. An act for opening and regulating Highways, as amended by the House,

Was taken up, and the question being put, will the Council concur in the amendment to the 14th section of said bill?

It was decided in the negative.

No. 27, H. R. F. A bill to prevent and punish gaming,

Was read a first time.

No. 75, H. R. file a joint resolution fixing the compensation to Wilson &

Keesecker for printing the Journals of the House of Representatives of 1841–'42.

Was read a first and second time.

A motion was made by Mr. Gehon,

To amend said resolution by striking out the words "six hundred and fifty" and inserting "seven hundred and fifty" pending, which

A motion was made by Mr. Springer,

To refer said resolution to the committee on claims,

Which was decided in the negative.

A motion was made by Mr. Springer,

To refer said resolution to the select committee on Printing, with instructions to report on Monday morning.

And the question being put,

It was decided in the affirmative, yeas 7, nays 4.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were

Messrs. Cook, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Harris and Leffler.

Mr. Wm. Patterson gave notice that he would on Monday or some future day, introduce a bill to prevent injury by Dogs.

On motion of Mr. Cox,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, January 30, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council,

That the House have adhered to all their amendments to

A joint resolution requesting our Delegate in Congress to procure an amendment to the organic law, so as to allow the several counties in this Territory to elect their clerks.

The House have passed,

No. 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river.

No. 67, H. R. F. A bill to abolish imprisonment for debt.

No. 73, H. R. F. A bill to relocate a part of a Territorial road in Washington county.

In which the concurrence of the Council is requested.

Also, without amendment,

No. 50, C. F. A bill to legalize the location of a certain Territorial road.

The House have receded from their amendment to the 14th section of

No. 49, C. F. A bill for opening and regulating roads and highways,

And then he withdrew.

Mr. Teas, presented the petition of sundry citizens of Jefferson county, praying the Legislature to grant a charter to Josiah Hinshaw, to build a dam across Walnut creek on the south-west quarter of section 23, Township 73, north of range 9 west.

On motion of Mr. Teas,

Ordered That said petition be referred to the committee on Incorporations.

Mr. Teas presented a communication from Wm. Crum relative to the printing of the laws.

Which was read and laid on the table.

Mr. Springer, presented the petition of sundry citizens of Washington county, praying for the repeal of the law licensing the sale of intoxicating liquors.

On motion of Mr. Springer,

Ordered that said petition be referred to the committee on Territorial Affairs.

Mr. Springer presented the petition of sundry citizens of Louisa county praying the Legislature, to pass an act, for removing the ferry at Wappello, (known as the free ferry,) so far up the river as to be kept opposite Van Buren street, in the town of Wappello.

On motion of Mr. Springer,

Ordered, That said petition be referred to the select committee heretofore appointed on the same subject.

On motion of Mr. Cox,

Resolved, That the committee on the Judidiary, be instructed to bring in a bill defining the number of Statute Laws necessary to be printed at the present session and to what officers they are to be distributed.

Mr. Wallace from the committee on engrossed bills, reported

No. 45, C. F. as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported

An act for opening and regulating Highways, also

An act to legalize the location of a certain Territorial road.

As correctly enrolled.

Mr. Cook from the committee on claims, to which was referred the petition of John Hawkins, Administrator of the Estate of the late James Hawkins, Postmaster at Iowa City, reported

That they find there is due Mr. Hawkins $203 59, that the pro rata of the appropriation of March 1842, which the Secretary is authorized to pay Mr. Hawkins, will amount to $180 00; leaving a balance due him of $23 59; this balance your committee consider should be allowed, and acknowledged by the Legislatnre as an indebtedness of the Territory to the estate of Mr. Hawkins.

The other item in Mr. Hawkins' bill amounting to $31 50, is for interest and cost of a trip to Burlington, your committee do not believe the Territory should be made to pay interest on claims of this nature, yet in this particular case the committee ask to be instructed in the premises, or discharged from the further consideration of the subject.

Mr. Cook from the committee on elections, reported

No. 57, C. F. A bill to amend an act to district the Territory into electoral districts, approved, July 30th 1840.

Which was read a first time.

Mr. Leffler, from the select committe on Printing, reported back

No. 75, H. R. F. a joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives 1841, 1842, without amendment.

No. 27, H. R. F. A bill to prevent and punish gaming,

Was read a second time.

On motion of Mr. Cox,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the Chair, and Mr. Cox, reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same back with sundry amendments, and ask the concurrence of the Council.

The question being put, on concurring in the amendment on striking out "A, B, C. E. O. and Tennis balls" whenever they occur in said bill.

It was decided in the affirmative, yeas 8, nays 3.

The yeas and nays being desired

Those who voted in the affirmative were,

Messrs. Cox, Cook, Gehon, Jenkins, Leffler, R. M. G. Patterson, Springer, and Wallace.

Those who voted in the negative were,

Messrs. Wm. Patterson, Teas, and Elbert, President.

The question being put, will the Council concur to strike out the 12th section?

It was decided in the affirmative.

The question being put; Will the Council concur to strike out the 8th section of said bill, which read as follows:

Section 8. That if any person or persons shall suffer the game of billiards or any of the games commonly called A, B, C. E. O. or faro bank or any other gaming table or bank of the like kind under any denomination whatever, to be played in his or her house, or in any out house, booth or arbor of which he or she at the time has the care or possession; every person or persons so offending, shall on conviction, forfeit and pay, a sum not less than five dollars, nor more than two hundred dollars.

It was decided in the affirmative, yeas 7, nays 4.

The yeas and nays being desired by Mr. Wm. Patterson,

Those who voted in the affirmative were,

Messrs. Cox, Cook, Gehon, Leffler, R. M. G. Patterson, Springer & Wallace.

Those who voted in the negative were,
Messrs. Jenkins, Wm. Patterson, Teas, and Elbert President.

And the question being put, will the Council concur in striking out the 16th section of said bill?

It was concurred in.

A motion was made by Mr. Cox,

To strike out the words "horse racing" wherever they occur in the bill,

Which was decided in the affirmative, yeas 6, nays 5.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were,

Messrs. Cox, Cook, Gehon, Leffler, R. M. G. Patterson and Wallace.

Those who voted in the negative were,

Messrs. Jenkins, Wm. Patterson, Springer, Teas and Elbert, President.

A motion was made by Mr. Cox,

That said bill be read a third time to-morrow.

Which was decided in the negative.

A motion was made by Mr. Wm. Patterson

That said bill do lie upon the table, subject to the order of the Council.

Which was decided in the negative.

A motion was made by Mr. Jenkins,

That the 13th rule be suspended and the bill be read a third time now,

Which was decided in the negative.

A motion was made by Mr. Wm. Patterson,

That said bill be read a third time on Thursday.

Which was decided in the affirmative, yeas 6, nays 5.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Cook, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Jenkins, Leffler and Wallace.

No. 42, C. F. A bill to provide for the election of Justices of the Peace to prescribe their powers and duties and to regulate their proceedings,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee of the whole this afternoon.

No. 56, C. F. A bill to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes,

Was read a second time.

On motion of Mr. Cook,

The Council resolved itself into a committee of the whole, for the consideration of said bill,

After some time spent therein, Mr. President resumed the chair, and Mr. Wallace reported that the committee had, according to order had said bill under consideration and instructed him to report the same with amend-

ments, and ask the concurrence of the Council.

The question being put,

Will the Council concur in the amendments?

It was decided in the affirmative.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

On motion of Mr. Jenkins,

Ordered, That Mr. Cox be added to said committee.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council that the House have passed,

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county.

No. 79, H. R. F. An act to incorporate the "Iowa Medical Society."

Also with amendment.

No. 35, C. F. An act defining the Jurisdiction of the Supreme and District Courts.

In all of which the concurrence of the Council is requested.

The House have also passed without amendment,

No. 41, C. F. An act regulating Mills and Millers, and for other purposes.

No. 53, C. F. A bill to incorporate an Academy in Denmark, Lee county,

And then he withdrew.

On motion of Mr. Springer,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole, for the consideration of

No. 42, C. F. A bill to provide for the election of Justices of the Peace, to proscribe their powers and duties to regulate their proceedings,

After sometime spent therein, Mr. President resumed the chair, and Mr. Gehon reported progress and asked leave to sit again.

Leave was granted.

No. 75, H. R. F. A joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives, 1841–'42.

Was read a second time.

On motion of Mr. Leffler,

Ordered, That said resolution do lie upon the table.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—

I am directed to inform the Council that the House have amended the second amendment made by the Council to

No. 57, H. R. F. A bill establishing the prices of public Printing.

I herewith present for your signature,

An act to establish a seminary of learning at Nashville, in Lee county,

The same being signed by the Speaker of the House of Representatives,

And then he withdrew.

The President then signed the above entitled act.

No. 58, H. R. F. A bill to authorize Henry De Camp and Sam'l H. Colyer to keep a ferry across the Mississippi river at the town of Wyoming,

Was read a third time.

On motion of Mr. Harris,

Ordered, That said bill do lie upon the table.

No. 66, H. R. F. An act granting further time to Henry Harden to file the plat of a Territorial road in the office of the Secretary.

No. 45, C. F. An act relating to promissory notes, bonds, due-bills, and other instruments of writing,

Which were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly and request their concurrence.

No. 35, C. F. An act defining the jurisdiction of the Supreme and District courts, as amended by the House was taken up, and the amendment concurred in.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

No. 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river.

No. 67, H. R. F. A bill to abolish imprisonment for debt.

No. 73, H. R. F. An act to relocate a part of a Territorial road, in Washington county.

No. 78, H. R. F. Joint resolution relative to sales for Delaware county.

No. 79, H. R. F. An act to incorporate the "Iowa Medical Society,"

Were severally read a first time.

No. 57, H. R. F. A bill establishing the prices of public Printing,

In which the House amended the amendment of the Council,

Was taken up, considered and concurred in.

On motion of Mr. Cook,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, January 31, 1843.

Mr. Springer according to previous notice, introduced

No. 58, C. F. A bill to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river.

Which was read a first time.

Mr. Springer from the committee on the Judiciary, reported back with amendments,

No. 56, H. R. F. A bill relative to Mechanic's leins and other purposes.

Mr. Springer from the committee on the Judiciary, reported back with amendments,

No. 56, C. F. A bill to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes.

Mr. Springer, from the committee on the Judiciary, reported back without amendments,

No. 46, H. R. F. A bill for the prevention of certain immoral practices,

Mr. Cook from the committee on claims, reported

No. 59, C. F. A joint resolution fixing the compensation to John B. Russell, for Printing the Journals of the Council for the session of 1841–'42.

Which was read a first time.

On motion of Mr. Springer,

The Council resolved itself into committee of the whole, for the consideration of

No. 42, C. F. A bill to provide for the election of Justices of the Peace to proscribe their powers and duties and to regulate their proceedings.

After some time spent therein, Mr. President resumed the chair, and Mr. Gehon, reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments, and ask the concurrence of the Council.

The question then being put,

Will the Council concur in the amendments?

It was decided in the affirmative.

A motion was made by Mr. Springer,

To amend by repealing all acts contravening the provisions of said bill,

Which was decided in the affirmative.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—I am directed to inform the Council that the House have passed,

No. 81, H. R. F. An act requiring certain county officers to keep their respective offices at the county seat, and

No. 45, H. R. F. An act to provide for assessing and collecting county and Territorial revenue,

In which the concurrence of the Council is requested.

And then he withdrew.

No. 57, C. F. A bill to amend an act to district the Territory into electoral districts, approved July 30, 1840.

Was read a second time.

On motion of Cook,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to a committee of the whole for to-morrow.

No. 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to the committee on Internal Improvements.

No. 67, H. R. F. A bill to abolish imprisonment for debt,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 73, H. R. F. An act to relocate a part of a Territorial road in Washington county,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be read a third time to-morrow.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county,

Was read a second time.

On motion of Mr. Wallace,

Ordered, That said resolution be referred to the committee on claims.

No. 79, H. R. F. An act to incorporate the "Iowa Medical Society,"

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

No. 46, H. R. F. A bill for the prevention of certain immoral practices,

Was read a second time.

A motion was made by Mr. Cox,

To strike out all after the enacting clause of said bill pending, which

On motion of Mr. Wallace,

Ordered, That said bill do lie upon the table.

No. 56, H. R. F. A bill relative to Mechanics leins and other purposes,

Was read a second time as amended by the committee on the Judiciary.

On motion of Mr. Leffler,

Ordered, That the word "special" be stricken out of the 7 line of the first section of said bill.

On motion of Mr. Cook,

Ordered, That said bill be read a third to-morrow.

No. 56, C. F. A bill to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes,

Was read a second time as amended by the committee on the Judiciary.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time on Thursday.

No. 81, H. R. F. An act requiring certain county officers to keep their respective offices at the county seat,

Was read a first time.

No. 45, H. R. F. A bill to provide for assessing and collecting county and Territorial revenue.

Was read a first and second time.

On motion of Mr. Leffler,

Ordered, That said bill be referred to a committee of the whole this afternoon.

Mr. Wm. Patterson from the committee on Territorial affairs to which was referred a petition relative to grocery licenses, reported,

That it was inexpedient to grant the prayer of the petitioners, and asked to be discharged from the further consideration of the subject.

The question being put,

Shall the committee be discharged?

It was agreed to.

On motion of Mr. Wallace

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Leffler moved a call of the Council, which was had, and on the roll being called it appeared that Messrs. Jenkins, Teas and Wallace were absent.

The Sergeant-at-arms was

Ordered, To require their attendance; the absentees appearing it was

On motion of Mr. Leffler,

Ordered, That the further call of the Council be dispensed with.

No. 45, H. R. F. A bill to provide for Assessing and collecting county and Territorial Revenue;

Being made the order of the day, was taken up and considered in a committee of the whole,

After sometime spent therein, Mr. President resumed the chair, and Mr. Leffler reported that the committee had according to order, had said bill under consideration and instructed him to report the same with amendments.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on Finance.

Mr. Wm. Patterson on leave being granted, presented the petition of the Mayor and Alderman of the town of Fort Madison, praying the Legislature to amend the act of Incorporation of said town, so that the rate of interest in the redemption of town lots may be raised from twenty per cent. to fifty per cent., also that the Mayor and Alderman of said town shall receive for their services two dollars per day for each regular meeting of the Board.

On motion of Mr. Wm. Patterson,

Ordered, That said petition be referred to the committee on Incorporations.

Mr. Wallace on leave being granted, introduced,

No. 60, C. F. A bill to amend an act entitled an act for the incorporation of the town of Mount Pleasant.

Which was read a first time.

Mr. Harris moved to take from the table,

No. 58, H. R. F. An act to authorize Henry De Camp and Sam'l H. Colyer to keep a ferry across the Mississippi river at the town of Wyoming.

Which was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Leffler,

The Council adjourned until Monday morning at 10 o'clock.

Wednesday Morning, February 1, 1843.

Mr. Cook from the committee on enrolled bills, reported

No. 41, C. F. An act regulating Mills and Millers, and for other purposes.

No. 35, C. F. An act defining the Jurisdiction of the Supreme and District courts. Also

No. 53, C. F. An act to incorporate an Academy in Denmark, Lee county,

As correctly enrolled.

Mr. Cook from the committee on enrolled bills, reported

That they presented to the Governor for his approval on the 31st of January,

An act to legalize a certain Territorial road. And

An act for opening and regulating Roads and Highways.

Mr. Cook from the committe on claims, reported back

No. 78, H. R. F. Joint resolution relative to seals for Delaware county.

Mr. Cook from the committee on engrossed bills, reported

No. 57, C. F. As correctly engrossed.

Mr. R. M. G. Patterson from the committee on incorporations, reported

No. 61, C. F. A bill to authorize Isaiah Hinshaw to erect a dam across Walnut creek in the county of Jefferson.

Which was read a first time.

Mr. Wm. Patterson, according to previous notice introduced

No. 62, C. F. A. bill to prevent injury by dogs.

Which was read a first time.

Mr. Springer from the committee on the Judiciary reported back

No. 67, H. R. F. A bill to abolish imprisonment for debt.

No. 58, C. F. A bill to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on incorporations.

No. 59, C. F. Joint resolution fixing the compensation to John B. Russell for printing the Journals of the Council for the session of 1841–42,

Was read a second time.

A motion was made by Mr. Gehon,

To suspend the 13th rule and read said resolution a third time now.

Pending which

A motton was made by Mr. Springer,

To refer said resolution to the committee on printing.

Wnich was decided in the negative.

The question then recurring on Mr. Gehon's motion to read a third time now,

Was decided in the negative.

A motion was made by Mr. Leffler,

To read said resolution a third time to-morrow.

Which was decided in the affirmative, yeas 8, nays 4.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were

Messrs. Cox, Cook, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson and Elbert, President.

Those who voted in the negative were,

Messrs. Jenkins, Springer, Teas, and Wallace.

On motion of Mr. Leffler,

Ordered, That

No. 75, H. R. F. A joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives, 1841–'42.

Be taken from the table.

A motion was made by Mr. Gehon,

To amend said resolution by striking out the words "six hundred and fifty dollars" and inserting the words "seven hundred and fifty dollars."

Mr. Cook called for a division of the question first on striking out "six hundred and fifty dollars."

Which was decided in the negative, yeas 5, nays 7.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Cox, Gehon, Harris, Leffler and Wm. Patterson.

Those who voted in the negative, were

Messrs. Cook, Jenkins, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

So the motion to strike out was lost.

A motion was made by Mr. Wm. Patterson,

To amend said resolution by striking out the words "$650 00," and inserting "$700 00."

Mr. Cook, called for a division of the question first on striking out, "six hundred and fifty dollars.

Which was decided in the negative, yeas 6, nays 6.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson, and Wallace.

Those who voted in the negative were,

Messrs. Cook, Jenkins, R. M. G. Patterson, Springer, Teas and Elbert, President.

So the motion to strike out was lost.

On motion of Mr. Cook,

Ordered, That said resolution be read a third time to-morrow.

No. 60, C. F. A bill to to amend an act entitled an act for the incorporation of the Town of Mount Pleasant,

Was read a second time.

On motion of Mr. Wallace,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 81, H. R. F. An act requiring certain county officers to keep their respective offices at the county seat.

Was read a second time.

On motion of Mr. Harris,

Ordered, That said bill be referred to a select committee.

Messrs. Harris, Cook and R. M. G. Patterson, were appointed said committee.

On motion of Mr. Springer,

Ordered, That,

No. 42, C. F. A bill to provide for the election of Justices of the Peace to prescribe their powers and duties and to regulate their proceedings,

Be taken from the table.

A motion was made by Springer,

To amend said bill by inserting as the ninth article, proceedings relative to certiorari.

Which was agreed to.

A motion was made by Mr. Cook,

To amend the 14th section of the 5th article by striking out the words, "before the jury be sworn on the trial submitted to the Justice" and inserting the following at the end of the section, "when the party introducing the instrument shall prove the signature by extrinsic evidence."

Which was agreed to.

On motion of Mr. Springer,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary, notify the House accordingly and request thier concurrence.

On motion of Mr. Cook,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK P. M.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council that the House have passed,

No. 77, H. R. F. An act for the relief of Laurel Summers.

No. 84, H. R. F. An act to authorize Robert M'Kee and Ovid Grennell to construct a dam part way across the Des Moines river.

In which the concurrence of the Council is requested.

The House have also passed without amendment,

No. 55, C. F. An act authorizing the Judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county.

I herewith present for your signature,

An act establishing the prices of public Printing.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county,

Being the order of the day, was taken up and considered in committee of the whole.

After some time spent therein, Mr. President resumed the Chair, and Mr. Teas reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same back with amendments, and ask the concurrence of the Council.

And the question being put, will the Council concur in the amendments?

It was agreed to.

On motion of Mr. Teas,

Ordered that said bill be read a third time to-morrow.

No. 67, H. R. F. A bill to abolish imprisonment for debt.

Was read a second time.

On motion of Mr. Cook.

Ordered, That said bill be read a third time to-morrow.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county,

Was read a second time.

On motion of Mr. Gehon,

Ordered That said resolution be read a third time to-morrow.

No. 56, H. R. F. A bill relative to Mechanics' liens and for other purposes.

No. 73, H. R. F. An act to relocate a part of a Territorial road, in Washington county.

No. 79, H. R. F. An act to incorporate the "Iowa Medical Society,"

No. 57, C. F. An act to amend an act to district the Territory into electoral districts, approved, July 30th 1840.

Were severally read a third time and passed.

Ordered That the Secretary notify the House accordingly and request their concurrence.

No. 77, H. R. F. An act for the relief of Laurel Summers,

Was read a first time.

No. 84, H. R. F. A bill to authorize Robert M'kee and Ovid Grennell to construct a dam part way across the Des Moines river,

Was read a first and secon time.

On motion of Mr. President,

Ordered, That said bill be referred to the committee on Internal Improvements,

On motion of Mr. Cook,

Ordered, That

No. 40, C. F. A bill to regulate Ferries, be taken from the table.

A motion was made by Mr. Gehon,

To amend said bill by inserting the following at the end of the 12th section. "Provided That, Timothy Fanning, of the city of Dubuque, shall not be authorized to extend his Ferry privilege beyond his present limits."

Which was agreed to.

A motion was made by Mr. Springer,

To amend the 3d section of said bill, by authorizing the board of county commissioners to tax skiff ferries such sum as they may think proper.

Which was agreed to.

On motion of Mr. Gehon,

Ordered, That said bill be engrossed and read a third time on Saturday.

On motion of Mr. Wm. Patterson,

The Council adjourned until to-morrow morning at 10 o'clock.

Thursday Morning, February 2, 1843.

Mr. Wallace from the committee on engressed bills, reported
Nos. 56, 59, 60, C. F., as correctly engrossed.
Mr. R. M. G. Patterson from the committee on Incorporations, reported
No. 63, C. F. A bill entitled an act to amend an act for the incorporation of the town of Fort Madison,
Which was read a first time.
Mr. Harris from the select committee appointed for that purpose, reported back with amendments,
No. 81, H. R. F. An act requiring certain county officers to keep their respective offices at the county seat.
Mr. Wm. Patterson on leave being granted, presented the petition of sundry citizens of Fort Madison in Lee county, praying the Legislature to pass a law directing the Warden and officers of the Penitentiary, not to employ the convicts in any work or employment out of the yard or the ground belonging to said Penitentiary.
On motion of Mr. Patterson,
Ordered, That said petition be referred to the committee on the Judiciary.
Mr. Teas from the committee on the Revision of the Laws, reported
No. 64, C. F. A bill defining crimes and punishments,
Which was read a first time.
On motion of Mr. Teas,
Ordered, That the usual number of copies of said bill be printed.
No. 61, C. F. A bill to authorize Isaiah Hinshan to erect a dam across Walnut creek in the county of Jefferson,
Was read a second time.
On motion of Mr. Teas,
Ordered, That said bill do lie upon the table.
No. 62, C. F. A bill to prevent injury by Dogs,
Was read a second time.
A motion was made by Mr. Géhon,
To amend said bill by insesting after the word "lamb" in the first section the words "or any other domestic animal,"
Which was agreed to.
On motion of Mr. Wm. Patterson,
Ordered, That said bill be referred to the committee on Incorporations.
No. 77, H. R. F. An act for the relief of Laurel Summers,
Was read a second time.
On motion of Mr. Christie,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 81, H. R. F. A bill requiring certain county officers to keep their respective offices at the county seat,

Was read a second time.

A motion was made by Mr. Springer,

To amend said bill by inserting the following at the close of the second section "and provided further that England's addition to the town of Wapello shall be considered as at the county seat of Louisa county, pending which,

On motion of Mr. Cook,

Ordered, That said bill be indefinitely postponed.

On motion of Mr. Springer,

Ordered, That,

No. 46, H. R. F. A bill for the prevention of certain immoral practices, be taken from the table.

On motion of Mr. Harris,

Ordered, That said bill be referred to a select committee of one from each electoral District,

Messrs. Harris, Wallace, Springer, Jenkins, Gehon, Teas, Leffler, Christie, Cook, and Wm. Patterson were appointed said committee.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

Was read a third time.

On motion of Mr. Cox,

Ordered, That said bill be referred to a select committee,

Messrs. Cox, Wallace and R. M. G. Patterson, were appointed said committee.

No. 27, H. R. F. An act to prevent and punish gaming.

No. 67, H. R. F. An act to abolish imprisonment for debt.

No. 75, H. R. F. Joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives 1841, -'42.

No. 56, C. F. An act to establish new counties, and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes.

No. 59, C. F. Joint resolution authorizing pay to John B. Russell for printing Journal of the Council for 1841-'42.

No. 60, C. F. An act to amend an act entitled an act for the incorporation of the town of Mount Pleasant,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House of Representatives accordingly and request their concurrence.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county,

Was read a third time.

On motion of Mr. Cox,

Ordered, That said resolution be referred to the committee on claims.

Mr. Harris gave notice that he would on to-morrow or some future day, introduce a bill fixing the salary of the Auditor and Treasurer of this Territory.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Friday Morning, February 3, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—

I am directed to inform the Council that the House have passed,

No. 88, H. R. F. An act supplementary to an act entitled an act for the relocation of the county seat of Lee county.

Also with amendments,

No. 39, C. F. An act concerning cost and fees, and

No. 45, C. F. An act relative to promissory notes, bonds, due-bills, and other instruments of writing,

In all of which the concurrence of the Council is requested.

Also without amendments,

No. 44, C. F. A bill to relocate the Territorial road leading from Burlington in Des Moines county via Fort Madison in Lee county, to the bridge on Sugar creek in said county.

I also herewith return

An act to incorporate an academy in Denmark Lee county.

An act regulating Mills and Millers, and for other purposes.

An act defining the jurisdiction of the Supreme and District courts.

I herewith present for your signature,

An act to relocate a part of a Territorial road in Washington county.

An act to authorize Henry De Camp and Samuel H, Colyer to keep a ferry across the Mississippi river at the town of Wyoming.

The same being signed by the Speaker of the House of Representatives.

The House have rejected

No. 57, C. F. An act to amend an act to district the Territory into electoral districts, approved July 30th 1840.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Cox presented the petition of sundry citizens of Jackson Dubuque

and Clayton counties praying, that the charter of the Miners' Bank of Dubuque, may be continued.

On motion of Mr. Cox,

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Christie offered the following:

Resolved, That Alfred Sanders, Editor of the Davenport Gazette print two hundred copies of the Journal of the Council, and deliver the same to the secretary of the Territory, within three months after the adjournment of the Legislature, and that the Secretary of the Territory pay the said Sanders the prices established by law.

On motion of Mr. Cook,

Ordered, That said resolution do lie upon the table.

Mr. Springer from the committee on the Judiciary

To whom was referred the petition of sundry citizens of the town of Fort Nadison, praying the passage of a law to prohibit the warden and officers of the penitentiary, from employing the convicts out of the yard and ground belonging to said prison, reported that it is inexpedient to pass any law upon the subject.

The report was concurred in.

Mr. R. M. G. Patterson from the committee on incorporations, reported back

No. 58, C. F. A bill to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river.

Without amendment, and recommend its passage. Also

No. 62, C. F. A. bill to prevent injury by dogs, with one amendment.

Mr. Springer from the committee on the Judiciary reported

No. 65, C. F. A bill defining the number of copies of the laws of the present session to be published and the mode of their distribution.

Which was read a first time.

Mr. Cox from the select committee appointed for that purpose, reported back

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

With one amendment.

Mr. R. M. G. Patterson from the committee on Incorporations, reported

No. 66, C. F. A bill to incorporate the "Iowa City college.

Which was read a first time.

Mr. Wm. Patterson on leave being granted, introduced

No. 67, C. F. A bill to amend the several acts providing for the erection of a penitentiary, &c.

Which was read a first and second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to a select committee of one from each electoral district.

Messrs. Wm. Patterson, Wallace, Teas, Leffler, Cook, Cox, Jenkins, Christie and Springer were appointed said committee.

Mr. Harris according to previous notice, introduced

No 68, C. F. A bill regulating the salary of the Auditor of public accounts and Treasurer of the Territory.

Which was read a first and second time.

On motion of Mr. Harris,

Ordered, That said bill be referred to the committee on Territorial Affairs.

Mr. Wm. Patterson on leave being granted, introduced

No. 69, C. F. A Joint Resolution for the relief of William Stotts.

Which was read a first and second time.

On motion of Mr. Wm. Patterson,

Ordered, That said resolution be referred to the committee on claims.

Mr. Cook from the committe on claims, reported back with one amendment.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county.

Mr. Cook from the committee on enrolled bills, reported

That they had this day presented to the Governor for his approval

An act defining the jurisdiction of the Supreme and District Courts.

An act to incorporate an Academy in Denmark, Lee county. And

An act regulating Mills and Millers, and for other purposes.

No. 63, C. F. An act entitled an act to amend an act for the incorporation of the town of Fort Madison,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered That the Secretary notify the House accordingly and request their concurrence.

No. 62, C. F. A bill to prevent injury by Dogs,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 58, C. F. A bill to authorize Ezra F. Denison and Newton P. Denison to keep a Ferry across the Mississippi river.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be read a third to-morrow.

No. 88, H. R. F. An act supplemental to an act entitled an act for the relocation of the county seat of Lee county.

Which was read a first and second time.

On motion of Mr. Wm. Patterson,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 39, C. F. An act concerning costs and fees,

As amended by the House was taken up, and the amendments concurred in, except the following:

Striking out the word "three" in the third line, and insert the word "four."

Which was decided in the negative, yeas 2, nays 11.

The yeas and nays being desired

Those who voted in the affirmative were,

Messrs. Cox, and Jenkins.

Those who voted in the negative were,

Messrs. Christie, Cook, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

The amendment to the 22d section of said bill was concurred in by striking out the the word "next" and insert "1843."

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—I am directed to inform the Council,

That the House have passed

No. 70, H. R. F. A bill relative to the Probate of wills, executors, administrators, guardians, trustees of minors, and probate courts, and for defining their duties.

In which the concurrence of the Council is requested.

And then he withdrew.

No. 78, H. R. F. Joint resolution relative to seals for Delaware county.

Was read a second time.

On motion of Mr. Springer,

Ordered, That the 13th rule be suspended and the resolution be read a third time now.

The resolution was then read a third time and passed.

Ordered, That the Secretary, notify the House accordingly and request thier concurrence.

The President announced a communication from the Governor on Executive business,

When the Council resolved itself into an Executive session.

After a short time spent therein the Executive session rose.

No. 70, H. R. F. A bill relative to the Probate of wills, executors, administrators, guardians, trustees of minors, and Probate courts and for defining their duties.

Was read a first and second time.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Wallace gave notice that he would on to-morrow or some future day introduce

A bill to amend an act entitled an act to authorize R. M. G. Patterson, to establish and keep a ferry across the Mississippi river at the mouth of Nassau slough.

Mr. Wallace asked leave of absence for Mr. Harris, until Monday.

Leave was granted.

Mr. Harris from the select committee appointed for that purpose, reported back without amendment,

No. 46, H. R. F. A bill for the prevention of certain immoral practices.

Which was read a second time.

A motion was made by Mr. Cook,

To strike out the last section.

Which was decided in the affirmative.

A motion was made by Mr. Cook,

To amend said bill by striking out the words "and required" in the fifth section.

Which was decided in the affirmative.

A motion was made by Mr. Leffler,

To strike out the 5th section.

Which was decided in the affirmative, yeas 7, nays 6.

The yeas and nays being desired by Mr. President.

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Springer and Wallace.

Those who voted in the negative were,

Messrs. Christie, Cook, Wm. Patterson, R. M. G. Patterson, Teas, and Elbert, President.

A motion was made by Mr. Leffler,

To amend by striking out the words "in any court of Justice" in the 3d section.

Which was decided in the negative, yeas 5, nays 8.

The yeas and nays being desired by Mr. President,

Those who voted in the affirmative were,

Messrs. Cox, Cook, Gehon, Harris, and Leffler.

Those who voted in the negative were,

Messrs. Christie, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

A motion was made by Mr. Gehon,

To strike out all after the enacting clause,

Which was decided in the negative, yeas 4, nays 9.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Cox, Gehon, Harris, and Leffler.

Those who voted in the negative, were

Messrs. Christie, Cook, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

A motion was made by Mr. Springer,

To read said bill a third time to-morrow.

Which was decided in the affirmative, yeas 9, nays 4.

The yeas and nays being desired by Mr. R. M. G. Patterson,

Those who voted in the affirmative, were

Messrs. Christie, Cook, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Harris and Leffler.

On motion of Mr. Gehon,

The Council adjourned until to-morrow at 2 o'clock, P. M.

Saturday, February 4, 1843.

Mr. Wallace from the committee on engrossed bills, reported Nos. 40, 58, and 62, C. F., as correctly engrossed.

Mr. Cook from the committee on enrolled bills, reported the following acts as correctly enrolled.

An act to regulate Weights and Measures.

An act to relocate the Territorial Road leading from Burlington in Des Moines county via Fort Madison in Lee county, to the bridge on Sugar creek in said county, also,

An act authorizing the Judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county.

Mr. Springer gave notice that he would on Monday or some future day introduce

A bill to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a plat of a Territorial road.

On motion of Mr. Springer,

The resolution in relation to the printing of the Journals of the Council was taken from the table.

A motion was made by Mr. Cox,

To strike out the name of "Alfred Sanders" and insert "Mr. Crum."

Which was decided in the negative.

A motion was made by Mr. Cox,

That said resolution do lie upon the table.

It was decided in the negative, yeas 6, nays 6.

The yeas and nays being desired by Mr. Cox,

Those who voted in the affirmative were

Messrs. Cox, Gehon, Leffler, Wm. Patterson, R. M. G. Patterson and Teas.

Those who voted in the negative were,

Messrs. Christie, Cook, Jenkins, Springer, Wallace and Elbert, President.

The question then recurring on the adoption of the resolution,

It was decided in the affirmative,

So it was

Resolved, That Alfred Sanders, Editor of the Davenport Gazette, print two hundred copies of the Journal of the Council and deliver the same to the Secretary of the Territory within three months after the adjournment of the Legislature, and that the Secretary of the Territory pay the said Sanders the prices established by law.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council that the House have passed,

No. 48, H. R. F. A bill providing for and regulating General Elections.

No. 74, H. R. F. An act to amend an act entitled an act to incorporate the city of Keosauqua.

No. 85, H. R. F. An act to locate a Territorial road from the northern boundary of Missouri to Keosauqua in Van Buren county.

No. 86, H. R. F. A bill to provide for holding elections at St. Peters and other places.

No. 87, H. R. F. An act to incorporate the Jackson county Academy.

No. 93, H. R. F. An act regulating Ferries across English river.

The House have receded from their last amendment, viz: striking out the 22d section of

No. 39, C. F. An act concerning costs and fees,

And insist upon their amendment to the 20th section of said bill.

No. 80, H. R. F. Joint resolution authorizing Hughes & Williams to print the laws of the present session.

No. 60, C. F. An act to amend an act entitled an act for the incorporation of the Town of Mount Pleasant,

No. 38, C. F. An act to regulate weights and measures.

Also with amendments.

No. 42, C. F. An act to provide for the election of Justices of the Peace, to proscribe their powers and duties to regulate their proceedings.

No. 22, C. F. An act subjecting real and personal estate to execution.

In all of which the concurrence of the Council is requested.

I herewith present for your signature,

Joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the House of Representatives 1841,-'42.

An act for the relief of Laurel Summers,

An act to incorporate the "Iowa Medical Society,"

I also herewith return

An act relative to promissory notes, bonds, due-bills, and other instruments of writing,

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 65, C. F. A bill defining the number of copies of the laws of the

present session to be published and the mode of their distribution,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 66, C. F. A bill to incorporate the Iowa City College,

Was read a second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the chair, and Mr. Wallace reported that the committee had, according to order had said bill under consideration and instructed him to report the same without amendment.

On motion of Mr. President,

Ordered, That said bill be referred to the committee on Territorial affairs.

No. 25, H. R. F. An act organizing a board of county commissioners in each county.

No. 46, H. R. F. An act for the prevention of certain immoral practices,

No. 40, C. F. An act regulating Ferries.

No. 58, C. F. An act to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 62, C. F. A bill to prevent injury by Dogs,

Was read a third time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to the committee on claims.

No. 22, C. F. An act subjecting real and personal estate to execution,

Was taken up as amended by the House and considered, and the amendments concurred in, except the following:

And by publishing the same in some newspaper printed in the county if there be one for four weeks.

Which was decided in the negative,

The question being put, will the Council concur in the amendment made by striking out the 18th section of said bill,

Which reads as follows:

Personal property taken by virtue of a writ of attachment may be claimed, and such further proceedings thereon had as herein provided, in cases of personal property taken in execution, Provided, that nothing herein shall be construed to prevent the claimant of property taken as aforesaid from seeking his remedy in an action of replevin, detinue, trespass, or trover, and provided further, that no officer shall be liable to any prosecution for taking any good in execution in the possession of the defendant, unless notified or informed of the ownership thereof, previous to the sale of such goods under execution.

Which was decided in the negative.

The question being put,

Will the Council concur in the amendment made to the last section,

Which reads as follows:

This act to take effect from and after the 1st of March next, and that the printers employed to print the laws of this session, print fifteen hundred copies in pamphlet form and have the same ready for distribution by the 16th day of the present month.

Which was decided in the negative,

No. 39, C. F. An act concerning costs and fees,

In which the House insist on their amendment to the 20th section, making it the duty of the clerk of the District Court to tax a Jury fee of four dollars in all cases where the Jury is sworn.

A motion was made by Mr. Cook,

That the Council adhere to their disagreement to the amendment made by the House.

Which was decided in the affirmative.

No. 42, C. F. An act to provide for the election of Justices of the Peace to prescribe their powers and duties and to regulate their proceedings, was taken up as amended by the House.

The question being put,

Will the Council concur in the amendments?

It was agreed to.

No. 48, H. R. F. An act providing for and regulating general elections,

No. 74, H. R. F. An act to amend an act entitled an act to incorporate the city of Keosauqua,

No. 80, H. R. F. Joint resolution authorizing Hughes & Williams to print the Laws of the present Session.

No. 85, H. R. F. An act to locate a Territorial road from the northern boundary of Missouri to Keosauqua in Van Buren county.

No. 86, H. R. F. A bill to provide for holding elections at St. Peters and other places.

No. 87, H. R. F. An act to incorporate the Jackson county Academy.

No. 93, H. R. F. An act regulating Ferries across English river.

Which were severally read a first time.

No. 48, H. R. F. An act providing for and regulating general elections,

Was read a second time.

And on motion of Mr. President,

Ordered, That said bill be referred to the committee on Elections.

Mr. Christie asked leave of absence for Mr. Cook until Tuesday next.

Leave was granted.

On motion of Mr. Wm. Patterson,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, February 6, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

The House have passed

No. 76, H. R. F. An act to incarporate the Muscatine Lyceum.

No. 91, H. R. F. An act to amend an act incorporating the town of Salem in Henry county.

No. 68, H. R. F. A bill to incorporate the "Farmers' Half Breed Land company" in the county of Lee.

No. 72, H. R. F. A bill to relocate the county seat of Clayton county.

No. 52, H. R. F. A bill to prevent damage by the firing of prairies.

No. 36, H. R. F. A bill to authorize Isaac H. Campbell and company to construct a dam across the Des Moines river.

No. 83, H. R. F. A bill authorizing the election of an additional justice and constable in Center township, Henry county.

In which the concurrence of the Council is requested.

Also without amendment,

No. 52, C. F. An act to vacate certain streets in the town of Denmark, Lee county.

No. 59, C. F. Joint resolution authorizing pay to John B. Russell for printing the Journals of the Council for the session of 1841–42, and

No. 63, C. F. An act to amend an act for the incorporation of the town of Fort Madison,

And then he withdrew.

Mr. Gehon presented the petition of sundry citizens of Dubuque county, praying that the affairs of the Miners's Bank of Dubuque may be closed up.

On motion of Mr. Gehon,

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Teas presented the petition of sundry citizens of Jefferson county praying for the vacation of a part of a certain Territorial Road.

On motion of Mr. Teas,

Ordered, That said petition be referred to the committee on Roads.

Mr. Gehon from the committee on Internal Improvements, reported

No. 70, C. F. A bill authorizing the several boards of county oommissioners, to grant permits for constructing dams across navigable rivers,

Which was read a first time.

Mr. Cook from the committee on claims, reported back

No. 34, H. R. F. A bill for the relief of Walter Butler.

Mr. Cook from the committee on enrolled bills, reported that they did on the 6th inst. present to the Governor for his approval.

An act relative to promissory notes, bonds, due-bills, and other instruments of writing.

Mr. Wallace in accordance with previous notice, introduced

No. 71, C. F. A bill to amendatory to an act authorizing R. M. G. Patterson, to keep a ferry,

Which was read a first time.

Mr. Springer in accordance to previous notice introduced

No, 72, C. F. A bill to vacate a part of the plat of the town of Port Allen and to legalize the relocation of a part of a Territorial road,

Which was read a first time.

Mr. Wm. Patterson being in the Chair officiating as President.

Mr. Leffler on leave introduced the following:

Resolved, That the Hon. J. D. Elbert be allowed the sum of three dollars per day extra for his services as President of the Council, during the present session of the Legislative Assembly.

Which was unanimously adopted.

No. 74, H. R. F. An act to amend an act to incorporate the city of Keosauqua,

Was read a second time.

On motion of Mr. Jenkins,

Ordered, That said bill be read a third time to-morrow.

On motion of Mr. Leffler,

Ordered, That a committee of conference be appointed relative to the disagreeing votes between the two Houses on

No. 39, C. F. An act concerning costs and fees, and

No. 22, C. F. An act subjecting real and personal estate to execution.

Messrs. Leffler, Teas and Christie were appointed said committee.

No. 80, H. R. F. Joint resolution authorizing Hughes & Williams to print the laws of the present session.

Was read a second time.

A motion was made by Mr. Cook,

To amend said resolution by striking out all after the "resolving" clause and inserting the following:

That the Secretary of the Territory be authorized to contract with the proprietor or proprietors of some press in this Territory for the printing of three thousand copies of the laws of the present session:

Provided, That he shall give the printing of the laws to the press that will execute the work for the lowest price, which shall not exceed the prices established by law. For the purpose of carrying out the object of this resolution the said Secretary is hereby authorized and requested to receive sealed proposals until the first day of March next, for the printing of said laws, at which time the same shall be opened and the contract made with the proprietor or proprietors of the press, proposing to execute the same for the lowest price.

Pending which

On motion of Mr. President,

Ordered, That said resolution and amendment do lie upon the table.

No. 85, H. R. F. A bill to locate a Territorial road from the northern boundary of Missouri to Keosauqua in Van Buren county,

Was read a second time.

On motion of Mr. Jenkins,

Ordered that said bill be read a third time to-morrow.

No. 86, H. R. F. A bill to provide for holding elections at St. Peters and other places.

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be read a third to-morrow.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council that the House have passed,

No. 96, H. R. F. A bill to divorce certain persons therein named,

In which the concurrence of the Council is requested.

And then he withdrew.

No. 87, H. R. F. An act to incorporate the Jackson county Academy.

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be read a third time to-morrow.

No. 93, H. R. F. An act regulating Ferries across English river.

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be read a third time to-morrow.

No. 64, C. F. A bill defining crimes and punishments,

Was read a second time.

On motion of Mr. Cook,

The Council resolved itself into a committee of the whole, for the consideration of said bill.

After sometime spent therein, Mr. President resumed the chair, and Mr. Wallace reported progress, and asked leave to sit again.

Leave was granted.

On motion of Mr. Springer,

Ordered, That the Conncil resolve itself into an Executive session.

After a short time spent therein the Executive session rose.

On motion of Mr. Wallace,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

No. 34, H. R. F. A bill for the relief of Walter Butler,
Was read a second time.
A motion was made by Mr. Cook,
To amend said bill by inserting after the word "money" in the 2d section "not otherwise appropriated."
It was decided in the affirmative,
A motion was made by Mr. Springer,
To amend said bill by striking out the 2d section.
It was decided in the negative.
On motion of Mr. Springer,
Ordered, That said bill do lie upon the table.
No. 76, H. R. F. A bill to incorporate the Muscatine Lyceum.
Was read a first time.
No. 91, H. R. F. An act to amend an act incorporating the town of Salem in Henry county.
Was read a first and second time.
On motion of Mr. President,
Ordered, That said bill be read a third time to-morrow.
No. 52, H. R. F. A bill to prevent damage by the firing of prairies.
Was read a first time.
No. 83, H. R. F. A bill authorizing the election of an additional justice and constable in Center township, Henry county,
Was read a first and second time.
On motion of Mr. President,
Ordered, That the 13th rule be suspended and the bill be read a third time now,
The bill was then read a third time and passed.
Ordered, That the Secretary notify the House accordingly.
No. 36, H. R. F. A bill to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river.
No. 72, H. R. F. A bill to relocate the county seat of Clayton county,
Were severally read a first time.
No. 68, H. R. F. A bill to incorporate the Farmers' Half Breed Land company in the county of Lee,
Was read a first and second time.
On motion of Mr. Cox,
Ordered, That said bill be referred to the committee on the Judiciary.
No. 96, H. R. F. A bill to divorce certain persons therein named,
Was read a first and second time.
On motion of Mr. Leffler,
Ordered, That said bill be referred to the committee on the Judiciary.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—

I am directed to inform the Council that the House have appointed

Messrs. Newell, Hepner and Felkner, a committee of conference in relation to the disagreeing vote of the two Houses, upon

No. 22, C. F. An act subjecting real and personal estate to execution,

And,

No. 39, C. F. An act concerning costs and fees,

I herewith return

An act to relocate a Territorial road leading from Burlington in Des Moines county via Fort Madison in Lee county, to the bridge on Sugar creek in said county.

An act authorizing the judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county. And

An act regulating weights and measures.

The same being signed by the Speaker of the House of Representatives.

The House have agreed to all the amendments made by the Council to

No. 25, H. R. F. An act organizing a board of county commissioners in each county,

Except the amendment to the 20th section to which they have disagreed.

And then he withdrew.

The President then signed the above entitled acts.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

Being returned from the House with their disagreement to the amendment made by the Council to the 20th section, was taken up and being under consideration,

A motion was made by Mr. Cook,

That the Council recede from the amendment to the 20th section.

It was decided in the negative.

On motion of Mr. Springer,

Ordered, That,

No. 70, C. F. A bill authorizing the several boards of county commissioners to grant permits for constructing dams across navigable rivers, be read a second time now.

The bill was read a second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the chair, and Mr. Leffler reported that the committee had according to order said bill under consideration, and instructed him to report the same back with amendments and ask the concurrence of the Council.

The House concurred in the amendments.

On motion of Mr. Cook,

Ordered, That said bill do lie upon the table.

On motion of Mr. Springer,

The Council resumed in committee of the whole the consideration of No. 64, C. F. A bill defining crimes and punishments,

After some time spent therein Mr. President resumed the chair and Mr. Springer reported that the committee had according to order had said bill under consideration and instructed him to report the same back with amendments and ask the concurrence of the Council.

On motion of Mr. Cox,

Ordered, That said bill be referred to the committee on the Judiciary, and Mr. Cook be added to said committee.

On motion of Mr. Springer,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, February 7, 1843.

Mr. Springer presented the petition of Stephen Whicher and five others, praying that the Judicial Districts may be so changed as to embrace the county of Scott within the second judicial district.

On motion of Mr. Springer,

Ordered, That said petition do lie on the table.

Mr. Gehon, from the committee on Internal Improvements, reported back without amendment,

No. 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river.

And,

No. 84, H. R. F. An act to authorize Robert M'Kee and Ovid Grennell to construct a dam part way across the Des Moines river.

Mr. Cook from the committee on enrolled bills, reported the following acts as correctly enrolled.

An act to provide for the election of Justices of the Peace, to prescribe their powers and duties to regulate their proceedings.

An act entitled an act to amend an act for the incorporation of the town of Fort Madison.

An act to amend an act entitled an act for the incorporation of the town of Mount Pleasant.

An act to vacate certain streets in the town of Denmark, Lee county.

Joint resolution authorizing pay to John B. Russell for printing the Journal of the Council for 1841-'42.

Mr. Cook from the committee on enrolled bills, reported

That they had on the 6th inst. presented to the Governor for his approval, the following named acts:

An act to regulate weights and measures.

An act authorizing the Judge of Probate of Van Buren county to appoint a suitable person to transcribe the Probate records of said county. Also,

An act to relocate part of a Territorial road from Burlington, via Fort Madison to the bridge on Sugar creek in Lee county.

Mr. Springer from the committee on the Judiciary reported back

No. 96, H. R. F. A bill to divorce certain persons therein named,

Without amendment and the majority of said committee recommend its passage. Mr. Springer from the minority of said committee, recommend its indefinite postponement.

Mr. Wm. Patterson from the committee on Territorial Affairs, reported

No. 66, C. F. A bill to incorporate the "Iowa City college."

Mr. Leffler, from the committee of conference appointed on the part of the Council, to act with a similar committee appointed by the House, upon the disagreement of the two Houses upon the 20th section of

No. 39, C. F. A bill concerning costs and fees,

Have agreed to strike out said section and adopt the following in lieu thereof:

That it shall be the duty of the county commissioners at their next meeting after the passage of this act to order the clerk of the district to tax in the bill of costs of all suits now instituted or hereafter instituted a docket fee to defray the expense of the petit jury, and other contingent expenses of the court not exceeding two dollars and fifty cents, to be paid by the party instituting the suit at the time thereof or by giving security to be approved of by the clerk, for the payment of costs as in other cases; which fee when collected shall be paid into the county treasury quarterly, but such docket fee shall be taxed in the bill of costs and paid by the losing party, Provided, however, That nothing in this seetion shall be so construed as to authorize the collection of any docket fee in any county, wherein the session of the distriet court shall not exceed one week unless the county commissioners should otherwise direct.

The committee, recommend to the House to recede from their amendments to the 4th and 18th sections of

No. 22, C. F. An act subjecting real and personal estate to execution,

And have struck out the 1st of March next in the last section and inserted the 20th of February, 1843, relating to the time of taking effect of the same, and have struck out that part of said section providing for the publication of said act.

Mr. Cox, from the committee on Military Affairs, introduced

No. 73, C. F. A bill to organize, discipline and govern the militia,

Which was read a first time.

No. 34, H. R. F. A bill for the relief of Walter Butler,

Was read a second time.

On motion of Mr. Harris,

Ordered, That said bill do lie upon the table.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council, that the House have passed

No. 65, H. R. F. A bill to define the duties of Territorial Agent, and for other purposes.

No. 90, H. R. F. A bill for the relief of petit jurors in certain cases.

Also with amendments.

No. 16, C. F. An act regulating interest on money,

In which the concurrence of the Council is requested.

The House have also passed without amendment,

No. 15, C. F. An act defining the duties of county surveyors.

I herewith present for your signature,

An act granting further time to Henry Harden to file the plat of a Territorial road in the office of the Secretary. And

An act to abolish imprisonment for debt.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 36, H. R. F. A bill to authorize Isaac R. Campbell to construct a dam across the Des Moines river,

Was read a second time.

On motion of Mr. Jenkins,

Ordered That said bill be read a third time to-morrow.

No. 52, H. R. F. A bill to prevent damage by the firing of prairies,

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill do lie on the table until Tuesday next.

No. 72, H. R. F. A bill to relocate the county seat of Clayton county,

Was read a second time.

On motion of Mr. Gehon,

Ordered, That said bill do lie upon the table.

No, 76, H. R. F. A bill to incorporate the Muscatine Lyceum,

Was read a second time.

On motion of Mr. Harris,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 71, C. F. A bill amendatory to an act authorizing Robert M. G. Patterson to keep a ferry, &c.

Was read a second time.

On motion of Mr. Wallace,

Ordered, That the 13th rule be suspended and the resolution be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary, notify the House accordingly and request thier concurrence.

No. 72, C. F. A bill to vacate a part of the plat of the town of Port Allen and to legalize the relocation of a part of a Territorial road,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered That said bill do lie upon the table.

No. 84, H. R. F. A bill to authorize Robert M'Kee and Ovid Grennell to construct a dam part way across the Des Moines river,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be read a third time to-morrow.

No. 76, H. R. F. A bill to divorce certain persons therein named,

Was read a second time.

On motion of Mr. Gehon,

Ordered, That said bill be referred to a select committee of four members.

Messrs. Gehon, R. M. G. Patterson, Wallace and Leffler, were appointed said committee.

No. 66, C. F. A bill to incorporate the "Iowa City college,"

Was read a second time.

On motion of Mr. Harris,

The Council resolved itself into a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the chair, and Mr. Teas reported that the committee had according to order said bill under consideration, and instructed him to report the same back with amendments and ask the concurrence of the Council.

The Council concurred in the amendments.

A motion was made by Mr. Leffler,

To refer said bill to the committee on incorporations with instructions to strike out all of a sectarian nature in said bill.

Which was decided in the negative.

A motion was made by Mr. Springer,

To amend said bill by striking out the last section, and insert the following: "This act may be altered amended or repealed by any future Legislature, provided, however, that the real estate hereby donated to said college shall not revert to the Territory.

Which was agreed to.

On motion of Mr. President,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 74, H. R. F. An act to amend an act entitled an act to incorporate the city of Keosauqua.

No. 85, H. R. F. An act to locate a Territorial road from the northern boundary of Missouri to Keosauqua in Van Buren county,

No. 86, H. R. F. An act to provide for holding elections at St. Peters and other places.

No. 87, H. R. F. An act to incorporate the Jackson county Academy.

No. 91, H. R. F. An act to amend an act incorporating the town of Salem in Henry county.

No. 93, H. R. F. An act regulating Ferries across English river.

Were severally read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 90, H. R. F. A bill for the relief of Petit Jurors in certain cases,

Was read a first time.

No. 65, H. R. F. A bill to define the duties of Territorial Agent, and for other purposes,

Was read a first and second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to a committee of the whole for consideration this afternoon.

No. 16, C. F. A bill regulating interest on money as amended by the House was taken up.

On motion of Mr. Cook,

Ordered, That said bill do lie upon the table.

Mr. Springer from the committee on the Judiciary, reported back with amendments,

No. 70, H. R. F. A bill relative to the Probate of wills, executors, administrators, guardians, trustees of minors, and Probate courts and for defining their duties.

On motion of Mr. Springer,

Ordered, That said bill be referred to a committee of the whole for this afternoon.

Mr. Harris on leave being granted introduced

No. 74, C. F. A bill to divorce John A. Street from his wife Huldah Street.

Which was read a first and second time.

On motion of Mr. Harris,

Ordered, That said bill be referred to the select committee on Divorces.

On motion of Mr. Springer,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The Council resolved itself into an Executive session.

After some time spent therein, the Executive Session rose.

No. 65, H. R. F. A bill to define the duties of Territorial Agent and for other purposes being made the order of the afternoon, was considered in a committee of the whole.

After sometime spent therein, Mr. President resumed the chair, and Mr. Gehon reported, that the committee had according to order had said bill under consideration and instructed him to report the same back to the Council, and ask its concurrence.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be referred to the committee on the Judiciary,

No. 70, H. R. F. A bill relative to the Probate of Wills, Executors, Administrators, Guardians, Trustees of Minors and Probate Courts and for defining their duties, being made the order of the afternoon, was considered in a committee of the whole.

After some time spent therein Mr. President resumed the chair and Mr. Wallace reported that the committee had according to order, had said bill under consideration and instructed him to report progress and ask leave to sit again.

Leave was granted.

On motion of Mr. Cook,

Ordered, That

No. 70, C. F. A bill to authorize the several boards of county commissioners, to grant permits for constructing dams across navigable rivers, be taken from the table.

A motion was made by Mr. Cook,

To amend the bill by adding the following as the 11th section,

That this act shall take effect and be in force from and after its passage.

Which was agreed to.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time on Friday.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, February 8, 1843.

Mr. Cox presented the petition of sundry citizens of Jackson county, praying that the affairs of the Miners' Bank of Dubuque may be closed up.

On motion of Mr. Cox,

Ordered, That said petition be referred to the committee on the Judiciary.

Mr. Cook, on leave being granted, introduced

No. 75, C. F. Joint resolution authorizing the payment of money to the Secretary of the Territory.

Which was read a first time.

Mr. Christie from the committe on elections reported back

No. 48, H. R. F. An act providing for and regulating general elections,

Mr. Gehon from the select committee on divorces, reported back with amendment

No. 96, H. R. F. A bill to divorce certain persons therein named,

Mr. Springer from the committee on the Judiciary, reported back with amendment

No. 65, H. R. F. An act to define the duties of Territorial Agent, and for other purposes.

Mr. Cook from the select committee reported back

No. 65, C. F. A bill defining crimes and punishments,

Mr. Cook from the committee on enrolled bills, reported

No. 15, C. F. An act defining the duties of county surveyors,

As correctly enrolled.

Mr. Wallace from the committee on engrossed bills, reported

No. 72, C. F. As correctly engrossed.

Mr. Wm. Patterson from the committee on Territorial Affairs, reported

No 68, C. F. A bill regulating the salary of the Auditor of public accounts and Treasurer of the Territory.

On motion of Mr. Teas,

No. 16, C. F. A bill regulating interest on money,

Be taken from the table,

The question being put, on disagreeing to the amendment made by the House to the second section of said bill, viz: striking out the word "ten" and inserting the word "twenty," being the amount of interest which parties may agree to in writing?

It was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Gehon, Harris, Jenkins, R. M. G. Patterson, Teas, and Elbert, President.

Those who voted in the negative were,

Messrs. Cook, Leffler, Wm. Patterson, Springer and Wallace.

The question being put, will the Council disagree to the amendment to the 3d section of said bill by adding at the end of the section "at the rate of six per centum per annum?"

It was decided in the negative, yeas 5, nays 8.

The yeas and nays being desired

Those who voted in the affirmative were

Messrs. Christie, Cook, Jenkins, Springer, and Wallace.

Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

The question being put, will the Council concur in the amendment made by the House to strike out the 4th section of said bill?

It was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative, were

Messrs. Cox, Gehon, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Christie, Cook, Leffler, Springer, and Wallace.

The question being put, will the Council concur in the amendment made by the House in striking out the 7th and 8th sections of said bill?

It was decided in the affirmative.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—The House have passed

No. 109, H. R. F. Joint resolution relative to the printing of the Journal of the H. R. of the present session,

No. 89, H. R. F. Joint resolution relative to the printing of the decisions of the Supreme Court.

The House have agreed to the committee of conference upon

No. 22, C. F. An act subjecting real and personal estate to execution.

Also,

No. 39, C. F. An act concerning costs and fees,

The House insist upon their disagreement to the amendment of the Council to the 10th section of

No. 25, H. R. F. An act organizing a board of county commissioners in each county,

And have appointed Messrs. M'Millan, Rogers and Lewis a committee of conference in relation thereto.

The House have also passed with amendments,

No. 40, C. F. An act regulating ferries, and

No. 26, C. F. A bill to amend an act to incorporate the Washington Manufacturing company, also,

No. 14, C. F. An act to provide for changing the venue in civil and criminal cases,

In which the concurrence of the Council is requested.

I herewith return

An act to provide for the election of Justices of the Peace, to prescribe their powers and duties to regulate their proceedings.

An act to amend an act entitled an act for the incorporation of the town of Mount Pleasant.

An act to vacate certain streets in the town of Denmark, Lee county.

An act entitled an act to amend an act for the incorporation of the town of Fort Madison. Also,

Joint resolution authorizing pay to John B. Russell for printing the Journal of the Council for 1841–'42.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 73, C. F. A bill to organize, discipline and govern the militia,

Was read a second time.

On motion of Mr. Cox,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 90, H. R. F. A bill for the relief of Petit Jurors in certain cases,

Was read a second time.

A motion was made by Mr. Jenkins,

To amend said bill by including the counties of Van Buren and Dubuque.

It was agreed to.

On motion of Mr. Leffler,

Ordered, That said bill be read a third time to-morrow.

No. 48, H. R. F. A bill providing for and regulating general elections,

Was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be referred to a committee of the whole for this Afternoon.

No. 64, C. F. A bill defining crimes and punishments,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to a committee of the whole for this afternoon.

No. 65, H. R. F. An act to define the duties of Territorial Agent and for other purposes,

Was read a second time.

A motion was made by Mr. Wm. Patterson,

To amend said bill by striking out the last section.

It was agreed to.

On motion of Mr. Springer,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 68, C. F. A bill regulating the salary of the Auditor of Public Accounts and Territorial Treasurer,

Was read a second time.

A motion was made by Mr. Harris,

To amend said bill by striking out the words "two hundred and fifty" and inserting "three hundred" being the salary of the Auditor of Public Accounts.

Mr. Springer called for a division of the question, first on striking out two hundred and fifty.

The question being put,

It was decided in the affirmative, yeas 7, nays 6.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Gehon, Harris, Leffler, Wallace and Elbert, President.

Those who voted in the negative, were

Messrs. Cox, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, and Teas.

The question then recurring on filling the blank with three hundred.

It was decided in the affirmative,

A motion was made by Mr. Springer,

To amend said bill by striking out "two hundred and fifty" and inserting three hundred as the salary for Territorial Treasurer.

It was agreed to.

On motion of Mr. Harris,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 36, H. R. F. An act to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river.

Was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 96, H. R. F. A bill to divorce certain persons therein named,

Was read a second time.

On motion of Mr. Leffler,

The Council resolved itself into a committee of the whole for the consideration of said bill.

After a short time spent therein, Mr. President resumed the chair, and Mr. Cox reported, that the committee had according to order, had said bill under consideration, and instructed him to report the same back to the Council and ask its concurrence.

The Council concurred in the amendments.

A motion was made by Mr. Gehon,

To amend said bill by striking out the 17th section, which reads as follows:

"That the bonds of matrimony heretofore existing between Edward Earl and Ruth Ann Earl of Washington county are hereby dissolved.

Which was decided in the affirmative, yeas 9 nays 4.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative, were
Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Wallace and Elbert, President.

Those who voted in the negative, were
Messrs. Christie, Cook, Springer, and Teas.

A motion was made by Mr. Springer,
To amend said bill by striking out the 1st section,
Which reads as follows:

"That the bonds of matrimony heretofore existing between John Hanna Armstrong of Des Moines county late of Ohio county, Virginia, and Sally Armstrong his wife, be and the same are hereby dissolved.

Which was decided in the negative, yeas 5, nays 8.

The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Christie, Cook, Springer, Teas, and Elbert, President.

Those who voted in the negative were,
Messrs. Cox, Gehon, Harris, Leffler, Jenkins, Wm. Patterson, R. M. G. Patterson and Wallace.

A motion was made by Mr. Springer,
To amend said bill by striking out the 2d section which reads as follows: "That the bonds of matrimony heretofore existing between Bethany Shearman of Des Moines county and James Shearman be and the same are hereby dissolved and that the said Bethany Shearman shall hereafter be known as Bethany Hall,

Which was decided in the negative.

A motion was made by Mr. Cook,
That the Council adjourn until 2 o'clock, P. M.

It was decided in the negative.

A motion was made by Mr. Leffler,
To dispense with reading the papers in relation to said bill.

It was decided in the affirmative, yeas 8, nays 4.

The yeas and nays being desired by Mr. Cook,
Those who voted in the affirmative were,
Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

Those who voted in the negative were,
Messrs. Christie, Cook, Springer and Teas.

A motion was made by Mr. Christie,
That the Council adjourn until 2 o'clock P. M.
It was decided in the negative, yeas 5, nays 8.
The yeas and nays being desired
Those who voted in the affirmative were
Messrs. Christie, Cook, Springer, Teas and Elbert, President.

Those who voted in the negative were,
Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

A motion was made by Mr. Wallace,

That the bill be engrossed and read a third time to-morrow.

It was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative, were

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, and Wallace..

Those who voted in the negative were,

Messrs. Christie, Cook, Springer, Teas and Elbert, President.

A motion was made by Mr. Wallace,

That the Council adjourn until 2 o'clock, P. M.

It was decided in the affirmative, yeas 11, nays 2.

Those who voted in the affirmative were,

Messrs. Christie, Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Wallace.

Those who voted in the negative, were

Messrs. Cook, and Elbert, President.

2 O'CLOCK P. M.

No. 84, H. R. F. An act to authorize Robert M'Kee and Ovid Grennell to construct a dam part way across the Des Moines river.

No. 66, C. F. An act to incorporate the "Iowa City college."

No, 72, C. F. An act to vacate a part of the plat of the town of Port Allen and to legalize the relocation of a part of a Territorial road,

Were severally read a third time and passed.

Ordered That the Secretary notify the House accordingly and request their concurrence.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

I am directed to inform the Council that the House have passed,

No. 114, H. R. F. A bill to attach Delaware to Dubuque county for Judicial purposes,

No. 106, H. R. F. A bill to locate a certain Territorial road from Cascade in Dubuque county, to O. A. Olmstead's mill in Delaware county,

No. 102, H. R. F. A bill authorizing the construction of slopes and dams in skunk river,

In which the concurrence of the Council is requested.

I herewith present for your signature,

An act to incorporate the Jackson county Academy.

An act to amend an act incorporating the town of Mt. Pleasant, in Henry county.

An act to provide for holding elections at St. Peters and other places.

An act to locate a Territorial road from the northern boundary of Missouri to Keosauqua in Van Buren county.

An act to amend an act to incorporate the city of Keosauqua,

An act authorizing the election of an additional justice and constable in Center township, Henry county. And,

An act regulating Ferries on English river.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

On motion of Mr. Leffler,

Ordered, That the report of the committee of conference on the disagreeing vote between the two Houses on

No. 22, C. F. An act subjecting real and personal estate to execution be taken from the table.

The question being put,

Will the Council concur in the report of the committee?

It was decided in the affirmative.

No. 48, H. R. F. A bill providing for and regulating general elections,

Being made the order of the afternoon, was considered in a committee of the whole.

After a short time spent therein, Mr. President resumed the chair, and Mr. Cook reported, that the committee had according to order, had said bill under consideration, and instructed him to report the same back to the Council and ask its concurrence.

A motion was made by Mr. Cox,

To strike out the amendment made to the 12th section of said bill.

Which reads as follows:

To come in after the word election in the 15th line, "and if any such person so presenting himself, shall be or claim to be a naturalized foreigner, he shall at the request of any person who shall have voted in addition to the foregoing oath, testify as to the time when, the place where, and the court before, which he was naturalized."

It was decided in the negative yeas 6 nays 7.

The yeas and nays being desired

Those who voted in the affirmative were

Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson and Teas.

Those who voetd in the negative were

Messrs. Christie, Cook, Jenkins, R. M. G. Patterson, Springer, Wallace and Elbert, President.

A motion was made by Mr. Wallace,

That the Council concur in the amendments made in committee of the whole on said bill.

It was agreed to.

On motion of Mr. Wallace,

Ordered That said bill be read a third time to-morrow.

No. 109, H. R. F. Joint resolution allowing to B. F. Wallace an additional compensation,

Was read a first and second time.

On motion of Mr. Gehon,

Ordered, That said resolution do lie upon the table.

No. 64, C. F. A bill defining crimes and punishments,

Being made the order of the afternoon, was considered in committee of the whole.

After sometime spent therein, Mr. President resumed the chair, and Mr. Wallace reported, that the committee had according to order had said bill under consideration and instructed him to report the same back with amendment, and ask the concurrence of the Council.

The Council concurred in the amendments.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—

The House have passed with amendments,

No. 18, C. F. An act for the limitation of actions and for avoiding vexatious law suits.

In which the concurrence of the Council is requested.

Also without amendment.

No. 51, C. F. An act regulating practice in the district courts.

The House have disagreed to the amendment of the Council to the 10th section of

No. 65, H. R. F. An act to define the duties of Territorial Agent, and for other purposes.

And have agreed to the other amendment.

The House have also receded from their amendment to the 2d section of No. 16, C. F. An act regulating interest on money,

And then he withdrew.

On motion of Mr. Leffler,

The Council adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, FEBRUARY 9, 1843.

Mr. Cox offered the following:

Resolved, That no new business shall be introduced into the Council after Saturday next.

On motion of Mr. Springer,

Ordered, That said resolution do lie upon the table.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—The House have passed

No. 116, H. R. F. Joint resolution authorizing Wm. Crum to print 1440

copies of the valuation law and also the "act concerning cost and fees" in pamphlet form,

In which the concurrence of the Council is requested.

I herewith present for your signature,

An act defining the duties of county surveyors. And

An act for the prevention of certain immoral practices.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Springer from the committee on the Judiciary, reported back

No. 68, H. R. F. A bill to incorporate the Farmers' Half Breed, Land company in the county of Lee, and

No. 76, H. R. F. A bill to incorporate the Muscatine Lyceum.

Mr. Wallace from the committee on engrossed bills, reported

Nos. 68 and 73, C. F. As correctly engrossed.

Mr. Wallace gave notice that he would on to-morrow ask leave to introduce

A bill to authorize Daniel Smead and Claybourn W. Hughes, to sell certain real estate.

Mr. Cook from the committee on enrolled bills, reported

An act regulating interest on money, and

An act regulating practice in the district courts,

As correctly enrolled.

Mr. Cook from the committee on enrolled bills, reported that they did on the 7th inst. present to the Governor for his approval, the following named acts:

An act to provide for the election of Justices of the Peace, to prescribe their powers and duties and to regulate their proceedings.

Joint resolution authorizing pay to John B. Russell for printing the Journal of the Council for 1841–'42.

An act to amend an act entitled an act for the incorporation of the town of Mount Pleasant.

An act entitled an act to amend an act for the incorporation of the town of Fort Madison. Also,

An act to vacate certain streets in the town of Denmark, Lee county.

Mr. Harris from the committee on roads, to whom was referred the petition of sundry citizens of Jefferson county, praying for the vacation of a certain Territorial road reported,

That it is inexpedient to legislate thereon, and ask to be discharged from the further consideration of the subject.

The question being put, shall the committee be discharged?

It was agreed to.

On motion of Mr. Harris,

Ordered, That

No. 34, H. R. F. A bill for the relief of Walter Butler,

Be taken from the table and read a second time.

The bill was then read a second time.

On motion of Mr. Harris,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

The report of the committee of conference on the disagreeing vote of the two Houses on

No. 39, C. F. An act concerning costs and fees,

Was taken from the table and considered.

A motion was made by Mr. Cook,

To strike out the words "unless the county commissioners, should otherwise direct."

It was agreed to.

The question being put, will the Council concur in the report of the committee.

It was agreed to.

No. 75, C. F. Joint resolution authorizing the payment of money to the Secretary of the Territory.

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 64, C. F. A bill defining crimes and punishments,

Was read a second time.

A motion was made by Mr. Wallace,

That the Council disagree to the amendments made in committee of the whole on yesterday to said bill.

It was decided in the affirmative.

A motion was made by Mr. Cook,

To amend said bill by striking out the 61st section and inserting the following:

"That in all cases when any person shall be convicted of any offence by this act declared criminal and made punishable by imprisonment in the penitentiary or county jail, the judge shall determine from the nature of the case for what period time, within the respective periods prescribed by law, such convict shall be imprisoned at hard labor in the penitentiary or county jail, and shall moreover, determine for what period of time (if any) such convict shall be kept in solitary confinement in the cells of the penitentiary, without labor, and the court shall also render judgment against such convict for the costs of prosecution, and award execution thereon against the goods and chattels, lands and tenements of said convict.

The question being put, will the Council concur in the amendment?

It was decided in the affirmative, yeas 8, nays 5.

The yeas and nays being desired by Mr. Wallace,

Those who voted in the affirmative, were

Messrs. Christie, Cox, Cook, Gehon, Harris, Jenkins, Springer and Elbert, President.

Those who voted in the negative, were

Messrs. Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Wallace.

A motion was made by Mr. Wallace,

To amend said bill by striking out the word "death", (being the punishment for murder,) and insert the words "solitary confinement for life."

It was decided in the negative, yeas 4, nays 9.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Christie, Harris, Leffler and Wallace.

Those who voted in the negative, were

Messrs. Cox, Cook, Gehon, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 68, H. R. F. A bill to incorporate the "Farmers' Half Breed Land company" in the county of Lee.

Was read a second time.

On motion of Mr. Wm. Patterson,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the chair, and Mr. Teas reported that the committee had according to order said bill under consideration, and instructed him to report the same back to the Council with amendments and ask its concurrence.

The Council concurred in the amendments.

A motion was made by Mr. Leffler,

To amend said bill by inserting the following as the 17th section.

That no sum or sums of money received in payment for stock or otherwise, under the provisions of this act shall be applied directly or indirectly to aid in the prosecution of a proceeding in Chancery now pending in the District Court of Lee county, wherein Meek and others are complainants, and Spalding and others are respondents; nor in anywise in any legal proceeding or otherwise, in opposition to a decree rendered by said court, partitioning and allotting the Half Breed lands lying in the said county of Lee, wherein Spalding and others are petitioners, and Antaya and others are defendants. That if the Directors, or any officer or stockholder of the company aforesaid shall violate the provisions of this section by paying over for the purposes last aferesaid, any moneys received under the provisions of this act, then they shall forfeit double the sum so paid to be recovered on the information of any person or persons sueing in the name of the "Half Breed Land Company," before any court of competent jurisdiction.

It was decided in the negative yeas 6 nays 7.

The yeas and nays being desired by Mr. Leffler,

Those who voted in the affirmative were

Messrs. Christie, Cox, Cook, Gehon, Leffler and Springer.

Those who voted in the negative were

Messrs. Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Teas, Wallace and Elbert, President.

On motion of Mr. Wm. Patterson,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No, 76, H. R. F. A bill to incorporate the Muscatine Lyceum,

Was read a second time.

On motion of Mr. Harris,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Harris,

Ordered, That the report of the committee on claims, on the account of James M. Hawkins late Post Master at Iowa City be taken from the table.

The report was considered.

On motion of Mr. Springer,

Ordered, That the committee on claims, be instructed to report a bill allowing the claim with interest.

No. 48, H. R. F. A bill providing for and regulating general elections,

Was read a third time.

A motion was made by Mr. Leffler,

That said bill be referred to a select committee,

It was agreed to.

Messrs. Leffler, Cook and Jenkins, were appointed said committee.

On motion of Mr. Wallace,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—

The House have passed,

No. 101, H. R. F. An act to authorize Thomas McCraney and James Churchman to keep a ferry across the Mississippi river at Dubuque.

No. 103, H. R. F. An act to relocate a part of the Territorial road from Davenport to Marion.

No. 104, H. R. F. An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville.

No. 105, H. R. F. An act to establish a Territorial road from Birmingham in Van Buren county to the Indian Agency.

In which the concurrence of the Council is requested.

Also without amendment,

No. 58, C. F. An act to authorize Ezra F. Denison and Newton P. Denison to keep a ferry across the Mississippi river, and

No. 71, C. F. A bill amendatory to an act authorizing R. M. G. Patterson, to keep a ferry,

And then he withdrew.

No. 90, H. R. F. An act for the relief of Petit Jurors in certain cases,

Was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Gehon moved a call of the Council, which was had, and on the roll being called,

Messrs. Cox, Harris and Springer being absent the Sergeant-at-arms was directed to require their attendance.

After a short time the absentees appearing.

On motion,

A further call of the Council was suspended.

No. 96, H. R. F. An act to divorce certain persons therein named,

Was read a third time.

And the question being put,

Shall the bill pass.

It was decided in the affirmative.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative were

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

Those who voted in the negative were

Messrs. Christie, Cook, Springer, Teas and Elbert, President.

So the bill passed.

Ordered, That the Secretary notify the House accordingly.

No. 68, C. F. An act regulating the salary of the Auditor of Public Accounts and Territorial Treasurer,

Was read a third time.

A motion was made by Mr. Teas,

To refer said bill to the committee on Finance.

It was decided in the negative.

The question then recurring on the passage of the bill.

It was decided in the affirmative, yeas 10, nays 2.

The yeas and nays being desired by Mr. Teas,

Those who voted in the affirmative, were

Messrs. Christie, Cox, Cook, Gehon, Harris, Jenkins, Leffler, R. M. G. Patterson, Wallace and Elbert President.

Those who voted in the negative, were

Messrs. Wm. Patterson and Teas.

No. 73, C. F. An act to organize, discipline and govern the militia,

Was read a third time.

On motion of Mr. Wallace,

Ordered, That said bill do lie upon the table.

No. 70, H. R. F. A bill relative to the Probate of Wills, Executors, Ad-

ministrators, Guardians, Trustees of Minors and Probate Courts and for defining their duties, being resumed in committee of the whole.

After sometime spent therein, Mr. President resumed the chair, and Mr. Wallace reported progress, and asked leave to sit again.

Leave was granted.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—

The house have agreed to the amendment of the Council to the report of the committee of conference relative to

No. 39, C. F. An act concerning costs and fees,

And then he withdrew.

No. 65, H. R. F. An act to define the duties of Territorial Agent and for other purposes,

In which the House disagreed to the amendment made by the Council to strike out the 10th section of said bill, was taken up and considered.

A motion was made by Mr. Springer,

That the Council recede from their amendment,

It was agreed to.

No. 18, C. F. A bill for the limitation of actions and for avoiding vexatious law suits, as amended by the House was taken up, and the amendment concurred in.

No. 14, C. F. An act to provide for changtng the venue in civil and criminal cases, in which the House amended the 11th section, was considered and the amendment concurred in.

No. 26, C. F. A bill to amend an act to incorporate the Washington Manufacturing company, as amended by the House by adding two sections to said bill, was taken up and the amendment considered and concurred in.

No. 40, C. F. An act Regulating Ferries was taken up as amended by the House, and considered and concurred in, except the amendment to the 7th section, which was disagreed to.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county, in which the House insist on their disagreement to the amendment made by the Council to the 10th section of said bill.

The President appointed

Messrs. Gehon, Wallace and Wm. Patterson,

A committee of conference on the part of the Council, to act with a similar committee appointed on the part of the House in relation to the disagreeing vote on said bill.

No. 89, H. R. F. Joint resolution relative to the printing of the decisions of the Supreme Court.

Was read a first and second time.

A motion was made by Mr. Wallace,

To strike out the proviso to said Resolution.

It was decided in the negative,

On motion of Mr. Cook,

Ordered, That said resolution be read a third time to-morrow.

No. 101, H. R. F. An act to authorize Thomas McCraney and James Churchman to keep a ferry across the Mississippi river at Dubuque.

No. 104, H. R. F. An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville.

No. 106, H. R. F. A bill to locate a certain Territorial road from Cascade in Dubuque county, to O. A. Olmstead's mill in Delaware county,

No. 114, H. R. F. A bill to attach Delaware to Dubuque county for Judicial purposes.

No. 116, H. R. F. Joint resolution authorizing Wm. Crum to print 1440 copies of the valuation law, and the act concerning costs and fees in pamphlet form,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 102, H. R. F. A bill authorizing the construction of slopes in mill-dams in skunk river,

Was read a first and second time.

On motion of Mr. Leffler,

Ordered, That said bill do lie upon the table.

No. 103, H. R. F. An act to relocate a part of the Territorial road from Davenport to Marion.

Was read a first and secoud time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on Roads.

No. 105, H. R. F. An act to establish a Territorial road from Birmingham in Van Buren county to the Indian Agency.

Was read a first and second time.

A motion was made by Mr. Teas,

To amend said bill by striking out the name of "John J. Mudget" and inserting the name of "Tobias Moore."

It was agreed to.

On motion of Mr. Jenkins,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No 62, H. R. F. An act to authorize Arthur Thomas and others to erect a dam part way across the Des Moines river.

Was taken from the table and read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 109, H. R. F. Joint resolution allowing B. F. Wallace an additional compensation,

Was taken from the table and considered.

A motion was made by Mr. Leffler,

To amend said Resolution by allowing Joseph T. Fales Secretary of the Council an additional compensation of one hundred and fifty dollars.

It was agreed to.

On motion of Mr. Springer,

Ordered That said resolution do lie upon the table.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. PRESIDENT:—

The House have agreed to the amendment of the Council to

No. 90, H. R. F. A bill for the relief of petit jurors in certain cases, except so much thereof as relates to the county of Dubuque, to which they have disagreed.

I herewith return

An act regulating interest on money.

An act regulating practice in the District Courts.

I also herewith present for your signature,

An act to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act.

Mr. Cook gave notice that he would on to-morrow or some future day ask leave to introduce,

A bill to regulate conveyances.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, FEBRUARY 10, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—The House have passed

No. 94, H. R. F. An act to encourage the destruction of wolves, and

No. 108, H. R. F. A bill for the organization of county Medical Societies and to regulate the practice of Physic and Surgery,

In which the concurrence of the Council is requested.

And then he withdrew.

Mr. Leffler from the select committee appointed for that purpose, reported back with amendments

No. 48, H. R. F. A bill providing for and regulating general elections,

Mr. Wallace from the committee on engrossed bills, reported

Nos. 64 & 70, C. F. as correctly engrossed.

Mr. Wallace from the committee on Finance reported back with amendments

No. 45, H. R. F. A bill to provide for assessing and collecting county and Territorial revenue.

Mr. Cook from the committee on enrolled bills, reported

An act to authorize Ezra F. Denison to keep a ferry across the Mississippi river.

An act amendatory to an act authorizing Robert M. G. Patterson to keep a ferry, &c. Also,

An act subjecting real and personal estate to execution.

As correctly enrolled.

Mr. Cook from the committee on enrolled bills, reported that they did on the 9th inst. present to the Governor for his approval, the following named acts.

An act defining the duties of county surveyors.

An act regulating interest on money, and

An act regulating practice in the district courts,

Mr. Cook from the committee on claims, reported

No. 76, C. F. Joint resolution for the relief of James M. Hawkins deceased,

Which was read a first time.

Mr. Cook on leave being granted, introduced,

No. 77, C. F. A bill to regulate conveyances,

Which was read a first time.

Mr. Cook presented the account of A. Logan, for publishing proclamation, &c.

Which was read and referred to the committee on claims.

Mr. Springer from the committee on the Judiciary, reported back with amendments

No. 65, C. F. A bill defining the number of copies of the laws of the present session to be published and the mode of their distribution.

Mr. Jenkins gave notice that he would on to-morrow or some future day, introduce

A bill to legalize the acts of Cyrus Gibson, a Justice of the Peace in Van Buren county.

No. 48, H. R. F. A bill providing for and regulating general elections, as amended by the select committee,

Was read a second time.

On motion of Mr. Springer,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary, notify the House accordingly.

No. 48, H. R. F. A bill to provide for assessing and collecting county and Territorial revenue, as amended by the committee on Finance.

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

No. 65, C. F. A bill defining the number of copies of the laws of the present session to be published and the mode of their distribution,

As amended by the committee on the Judiciary.

Was read a second time.

A motion was made by Mr. Gehon,

To amend said bill by allowing Du Buque county 150 copies of the laws of a general nature.

It was agreed to.

On motion of Mr. Springer,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 70, C. F. A bill to authorize the several boards of county commissioners, to grant permits for constructing dams across navigable rivers,

No. 75, C. F. Joint resolution authorizing the payment of money to the Secretary of the Territory.

No. 89, H. R. F. Joint resoiution relative to the printing of the decisions of the Supreme court.

No. 64, C. F. An act defining crimes and punishments,

Were severally read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 90, H. R. F. A bill for the relief of Petit Jurors in which the House disagree to the amendment made by the Council to the first section, was considered.

A motion was made by Mr. Gehon,

That the Council insist on their amendment.

It was agreed to.

No. 94, H. R. F. An act to encourage the destruction of wolves,

Was read a first and second time.

On motion of Mr. Springer,

The Council resolved itself in a committee of the whole, for the consideration of said bill.

After some time spent therein, Mr. President resumed the chair, and Mr. Springer reported that the committee had according to order said bill under consideration, and instructed him to report the same back to the Council with all stricken out after the enacting clause, and ask the concurrence of the Council.

A motion was made by Mr. Cook,

That the Council do not concur in the amendment made by the committee.

It was decided in the negative, yeas 5, nays 7.

The yeas and nays being desired by Mr. Cook,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Gehon, Jenkins and Springer.

Those who voted in the negative were,

Messrs. Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Teas, Wallace and Elbert, President.

On motion of Mr. Wallace,

Ordered, That the enacting clause of said bill do lie upon the table.

No. 108, H. R. F. A bill for the organization of county Medical Societies, and to regulate the practice of Medicine and Surgery,

Was read a first and second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to a select committee of three consisting of the President and two other members.

The President appointed Messrs. Springer and Wm. Patterson.

On motion of Mr. Springer,

The Council resumed in committee of the whole the consideration of

No. 70, H. R. F. A bill relative to the Probate of wills, executors, administrators, guardians, trustees of minors, and Probate courts and for defining their duties.

After a short time spent therein, Mr. President resumed the chair, and Mr. Wallace, reported progress and asked leave to sit again.

Leave was granted.

On motion of Mr. Springer,

The Council resolved itself into an Executive session

After some time spent therein, the Executive Session

On motion of Mr. Wallace,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

On motion of Mr. Springer,

The Council resumed in committee of the whole the consideration of

No. 70, H. R. F. A bill relative to the Probate of wills, executors, administrators, guardians, trustees of minors and Probate courts, and for defining their duties.

After some time spent therein Mr. President resumed the chair and Mr. Cook reported that the committee had according to order, had said bill under consideration and instructed him to report the same back with sundry amendments, and ask the concurrence of the Council.

The question being put,

Will the Council concur in the amendments?

It was decided in the affirmative.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly,

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—The House have passed

No. 100, H. R. An act donating out lot No. 10 in Iowa City to the citizens thereof.

No. 107, H. R. F. An act to locate a Territorial road from Iowa City to the Des Moines river.

No. 113, H. R. Joint resolution fixing the compensation of George S. Hampton for services rendered the House of Representatives.

No. 100, H. R. Joint Resolution allowing Wilson & Keesecker additional compensation for printing the Journals of the House of Representatives of last session.

No. 115, H. R. F. A bill for the relief of securities of public officers in certain cases.

In which the concurrence of the Council is requested.

I herewith return,

An act to authorize Ezra F. Denison and Newton P. Denison, to keep a ferry across the Mississippi river.

An act amendatory to an act authorizing Robert M. G. Patterson to keep a ferry, and

An act subjecting real and personal estate to execution.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 100, H. R. F. An act donating out lot No 10 in Iowa City to the citizens thereof,

Was read a first and second time.

On motion of Mr. Springer,

The Council resolved itself into a committee of the whole, for the consideration of said bill.

After sometime spent therein, Mr. President, resumed the chair and Mr. Springer, reported that the committee had according to order, had said bill under consideration and instructed him to report the same back with amendments and ask the concurrence of the Council.

The Council concurred in the amendments.

On motion of Mr. Wallace,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 107, H. R. F. A bill to locate a Territorial road from Iowa City to the Des Moines river.

Was read a first and second time.

On motion of Mr. Wallace,

Ordered, That said bill do lie upon the table.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

The House have appointed

Messrs. Robertson, Blair and Newell a committee of conference in relation to the disagreeing vote of the two House upon.

No. 25, H. R. F. A bill organizing a board of county commissioners in each county.

The house insist on their amendment to the 7th section of
No. 40, C. F. An act regulating ferries.
The House have agreed to all the amendments to
No. 45, H. R. F. An act to provide for assessing and collecting county and Territorial revenue,
Except the 3d amendment to the 18th section, and the amendment to the 52d section to which they have disagreed.

And then he withdrew.

No. 110, H. R. F. Joint resolution allowing Wilson & Keesecker additional compensation for printing the Journals of the House of Representatives of last session.

Was read a first and second time.

On motion of Mr. Gehon,
Ordered, That said resolution do lie on the table.

No. 113, H. R. F, Joint Resolution fixing the compensation of George S. Hampton for services rendered the House of Representatives.

Was read three times and passed.

Ordered, That the Secretary notify the House accordingly.

No. 115, H. R. F. A bill for the relief of securities of public officers in certain cases,

Was read a first and second time.

On motion of Mr. Springer,
Ordered, That said bill be referred to the committee on Finance.

No. 40, C. F. An act regulating ferries,
In which the House insist on their amendment to the 7th section was taken up and considered.

On motion of Mr. Springer,
Ordered, That a committee of conference be appointed in relation to the disagreeing vote on said bill.

The President appointed Messrs. Springer, Jenkins and R. M. G. Patterson, said committee.

No. 45, H. R. F. An act to provide for the assessing and collecting county and Territorial revenue,
In which the House disagree to the amendments to the 18th and 52d sections, was taken up and considered.

On motion of Mr. Wallace,
Ordered, That the Council recede from their amendments.

On motion of Mr. Gehon,
Ordrred, That
No. 72, H. R. F. A bill to relocate the county seat of Clayton county,
Be taken from the table.

A motion was made by Mr. Gehon,
To amend said bill by adding a section.

It was agreed to.

On motion of Mr. Gehon,
Ordered, That the 13th rule be suspended and the bill be read a third now.

The bill was then read a third time aud passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Cook from the committee on enrolled bills, reported as correctly enrolled,

An act concerning costs and fees.

On motion of Mr. Gehon,

The Council adjourned until to-morrow morning at 10 o'clock.

Saturday Morning, February 11, 1843.

Mr. Christie from the committee on the revision of the laws, reported

No. 78, C. F. Joint resolution ordering the re-printing of certain acts therein named.

Which was read a first time.

On motion of Mr. Wallace,

Ordered, That the usual number of copies of said resolution be printed.

Mr. Cook from the committee on enrolled bills, reported as correctly enrolled,

An act to provide for changing the venue in civil and criminal cases.

An act to amend an act to incorporate the Washington Manufacturing company.

Mr. Cook from the committee on enrolled bills, reported that they did on the 10th inst. present to the Governor for his approval, the following named acts.

An act subjecting real and personal estate to execution.

An act amendatory to an act authorizing Robert M. G. Patterson to keep a ferry, &c.

An act to authorize Ezra F. Denison and Newton P. Denison, to keep a ferry across the Mississippi river, and

An act concerning costs and fees,

Mr. Wallace from the committee on engrossed bills, reported

No. 65, C. F. as correctly engrossed.

No. 76, C. F. Joint resolution for the relief of James M. Hawkins,

Was read a second time.

On motion of Mr. Gehon,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 77, C. F. A bill to regulate conveyances,

Was read a second time.

On motion of Mr. Cook,

Ordered, That said bill be engrossed and read a third time on Monday.

No. 65, C. F. An act defining the number of copies of the laws of the present session to be published and the mode of their distribution,

Was read a third time.

Mr. Springer by the unanimous consent of the Council, amended said bill by adding the following at the end of the first section, "To be bound after the manner of the volume of the laws, enacted at the first session of the Legislative Assembly in 1838–39.

The bill as amended passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

On motion of Mr. Harris,

Ordered, That

No. 80, H. R. F. Joint resolution authorizing Hughes & Williams to print the Laws of the present Session,

Be taken from the table, and read together with the amendment, offered by Mr. Cook, on the 6th inst.

A motion was made by Mr. Gehon,

To amend the amendment by inserting after the word "Session," "and Journal of the Council and House of Representatives."

It was decided in the affirmative, yeas 10, nays 3.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative, were

Messrs. Cox, Cook, Gehon, Harris, Jenkins, Leffler, Springer, Teas, Wallace and Elbert, President.

Those who voted in the negative were,

Messrs. Christie, Wm. Patterson, and R. M. G. Patterson.

A motion was made by Mr. Springer,

To amend said resolution by inserting after the word "print," "two thousand five hundred copies of the laws of a general nature, and one thousand copies of the laws of a local and private nature."

It was agreed to.

A motion was made by Mr. Cook,

To refer said resolution to a select committee.

It was decided in the negative, yeas 3, nays 10.

The yeas and nays being desired

Those who voted in the affirmative were,

Messrs. Christie, Cook and Wallace.

Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.

The question then recurring on Mr. Cook's amendment as amended.

It was decided in the negative, yeas 4, nays 9.

The yeas and nays being desired

Those who voted in the affirmative were
Messrs. Cox, Cook, Springer, and Wallace.
Those who voted in the negative, were
Messrs. Christie, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.
Mr. Springer offered the following as a substitute.
Resolved, By the Council and House of Representative of the Territory of Iowa, that

Be employed to print two thousand five hundred copies of the laws of a general nature, passed at the present session of the Legislative Assembly, together with the laws of a general nature now in force—at the prices and in the manner prescribed by law.

Resolved, further that
Be employed to print in pamphlet form one thousand copies of the acts of a local and private nature, passed at the present session of the Legislative Assembly—at the prices prescribed by law.
It was decided in the negative, yeas 6 nays 7.
The yeas and nays being desired by Mr. Cook,
Those who voted in the affirmative were
Messrs. Christie, Cook, Springer, Teas, Wallace and Elbert, President.
Those who voted in the negative, were
Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, and R. M. G. Patterson.
A motion was made by Mr. Jenkins,
To refer said resolution to a select committee.
It was decided in the negative.
A motion was made by Mr. Wallace,
To amend said resolution by striking out the names of "Hughes & Williams" and inserting "Wilson & Keesecker."
It was decided in the negative yeas 2, nays 10.
The yeas and nays being desired by Mr. Wallace,
Those who voted in the affirmative were,
Messrs. Cook and Wallace.
Those who voted in the negative, were
Messrs. Christie, Cook, Gehon, Harris, Jenkins, Leffler, R. M. G. Patterson, Springer, Teas and Elbert President.
A motion was made by Mr. Wallace,
To amend said resolution by striking out the words "Hughs & Williams" and inserting "John B. Russell."
Mr. Leffler called for a division of the question, first upon striking out, and the question being taken,
It was decided in the negative, yeas 4, nays 9.
The yeas and nays being desired,
Those who voted in the affirmative were,
Messrs. Christie, Cook, Springer and Wallace.
Those who voted in the negative were,

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

So the motion to strike out was lost.

A motion was made by Mr. Springer,

To amend said resolution by striking out the words "three thousand" and inserting "two thousand five hundred copies of the laws of a general nature and one thousand copies of the laws of a local nature."

It was agreed to.

On motion of Mr. Gehon,

Ordered, That the 13th rule be suspended and said resolution be read a third time now.

The resolution was then read a third time.

And the question being put,

Shall the resoiution pass?

It was decided in the affirmative yeas 9, nays 4.

The yeas and nays being desired

Those who voted in the affirmative were

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

Those who voted in the negative were

Messrs. Christie, Cook, Springer and Wallace.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith return,

An act concerning costs and fees,

The same being signed by the Speaker of the House of Representatives.

The House have passed,

No. 97, H. R. F. An act to locate a Territorial road in Henry and Washington counties, and to vacate a part of a Territorial road in said counties.

No. 119, H. R. F. An act to locate a certain territorial road therein named.

In which the concurrence of the Council is requested.

Also without amendment,

No. 25, C. F. An act relative to the time of taking effect of the laws of the present session, and

No. 33, C. F. An act concerning mortgages.

I herewith present for your signature,

Memorial for an appropriation for a canal at each of the rapids of the Mississippi river,

An act to prevent and punish gaming,

An act for the relief of Walter Butler,

An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville,

An act to locate a certain Territorial road from Cascade in Dubuque county, to O. A. Olmstead's mill in Delaware county,

An act to establish a Territorial road from Birmingham in Van Buren county to the Indian Agency,

An act supplemental to an act entitled an act for the relocation of the county seat of Lee county.

An act to authorize Robert M'Kee and Ovid Grennell to construct a dam part way across the Des Moines river,

An act to incorporate the "Farmers' Half Breed Land company" in the county of Lee,

An act to attach Delaware to Dubuque county for Judicial purposes,

Joint resolution relative to the printing of the decisions of the Supreme Court.

Joint resolution authorizing Wm. Crum to print 1440 copies of the valuation law, and the act concerning costs and fees in pamphlet form,

Joint resolution relative to the seals for Delaware county,

An act to divorce certain persons therein named,

An act relative to mechanics' liens, and other purposes,

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts and resolutions.

No. 97, H. R. F. An act to locate a Territorial road in Henry and Washington counties, and vacate a part of a certain Territorial road in said counties.

Was read three times and passed.

Ordered, That the Secretary notify the House accordingly.

No. 119, H. R. F. An act to locate a certain Territorial road therein named.

Was read a first and second time.

And laid on the table.

The President announced a communication from the Governor on Executive business.

On motion of Mr. Springer,

Ordered, That the Council resolve itself into an Executive session.

After a short time spent therein the Executive session rose.

On motion of Mr. Jenkins,

Ordered, That

No. 109, H. R. F. Joint resolution allowing B. F. Wallace and Joseph T. Fales an additional compensation,

Be taken from the table.

On motion of Mr. Leffler,

Ordered, That the 13th rule be suspended and the resolution be read a third time now.

The resolution was then read a third time, and the question being put, shall the Resolution pass?

It was decided in the affirmative, yeas 11, nays 2.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative, were

Messrs. Christie, Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas, Wallace and Elbert, President.

Those who voted in the negative were,
Messrs. Cook, and Springer.
So the resolution passed.
Ordered, That the Secretary, notify the House accordingly.
On motion of Mr. Gehon,
No. 110, H. R. Joint Resolution allowing Wilson & Keesecker additional compensation for printing the Journals of the House of Representatives of last session.
Was taken from the table.
On motion of Mr. Gehon,
Ordered, That the 13th rule be suspended and the resolution be read a third time now.
The resolution was then read a third time,
And the question being put, shall the resolution pass?
It was decided in the affirmative, yeas 9, nays 3.
The President was excused from voting.
The yeas and nays being desired,
Those who voted in the affirmative, were
Messrs. Cox, Cook, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Springer.
Those who voted in the negative were
Messrs. Christie, Teas and Wallace.
So the resolution passed.
Mr. Jenkins on leave being granted introduced
No. 79, C. F. A bill to legalize the acts of Cyrus Gibson, a Justice of the Peace in Van Buren county.
Which was read a first and second time.
On motion of Mr. President,
Ordered, That said bill be indefinitely postponed.
On motion of Mr. Wallace,
Ordered, That
No. 102, H. R. F. A bill authorizing the construction of slopes in mill-dams in skunk river,
Be taken from the table.
On motion of Mr. Wallace,
Ordered, That the 13th rule be suspended and the bill be read a third time now.
The bill was then read a third time and passed.
Ordered, That the Secretary notify the House accordingly.
On motion of Mr. Teas,
Ordered, That
No. 62, C. F. A bill to authorize Isaiah Hinshaw to erect a dam across Walnut creek in the county of Jefferson,
Be taken from the table.
On motion of Mr. Teas,
Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly, and request their concurrence.

On motion of Mr. Christie,

The Council adjourned until Monday morning at 10 o'clock.

Monday Morning, February 13, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—

The House have amended the proviso to the 9th section of

No. 72, H. R. F. A bill to relocate the county seat of Clayton county,

Said proviso being an amendment of the Council to said bill.

The House have passed,

No. 118, H. R. F. A bill to relocate a part of a part of a Territorial road leading from Burlington to Iowa City.

Also with amendment,

No. 66, C. F. A bill to incorporate the "Iowa City college,"

Also without amendment,

No, 72, C. F. An act to vacate a part of the plat of the town of Port Allen and to legalize the relocation of a part of a Territorial road,

I also herewith present for your signature,

An act to provide for changing the venue in civil and criminal cases,

An act to amend an act to incorporate the Washington Manufacturing company,

An act to define the duties of Territorial Agent, and for other purposes.

An act to authorize Thomas McCraney and James Churchman to keep a ferry across the Mississippi river at Dubuque.

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

Mr. Wm. Patterson presented the petition of sundry citizens of Lee and Des Moines counties praying the Legislature to grant a charter to Joseph Woodward and Jason Wilson to keep a ferry across Skunk river, at Wilson's mill.

On motion of Mr. Wm. Patterson,

Ordered, That said petition be referred to the Delegation from Lee and Des Moines counties.

Mr. Wallace from the committee on engrossed bilis, reported

No. 77, C. F. An act regulating conveyances, as correctly engrossed.

Mr. Wallace from the committee on Finance reported back with amendments.

No. 115, R. R. F. A bill for the relief of securities of public officers in certain cases.

Mr. R. M. G. Patterson from the committee on Incorporations reported

A bill to authorize John Troxell to erect a dam across Skunk River,

Which was laid on the table.

Mr. Cook from the committee on enrolled bills, reported as correctly enrolled,

An act for the limitation of actions and for avoiding vexatious law suits.

An act relative to the time of taking effect of the laws of the present session, also

An act concerning mortgages.

Mr. Cook from the committee on claims, reported

No. 81, C. F. Joint resolution for the relief of A. Logan.

Which was read a first time.

No. 115, H. R. F. A bill for the relief of securities of public officers in certain cases,

Was read a second time.

On motion of Mr. Wallace,

Ordered, That the 13th rule be suspended and the bill be read a third now.

The bill was then read a third time and passed.

No. 77, C. F. An act to regulate conveyances,

Was read a third time and passed.

Ordered, That the Secretary notify the House accordingly, and request their concurrence.

No. 66, C. F. An act to incorporate the "Iowa City College," as amended by the House, was taken up and the amendments considered, and concurred in.

No. 118, H. R. F. A bill to relocate a part of a Territorial road leading from Burlington to Iowa City.

Was read three times and passed.

Ordered, That the Secretary notify the House accordingly.

No. 73, C. F. An act to organize, discipline and govern the militia,

Was read a third time, and the blanks all filled, with $5 and 50 dollars.

The bill was then read as amended and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

Mr. Cook from the committee on enrolled bills, reported

An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road,

As correctly enrolled.

Mr. Wallace according to previous notice introduced

No. 82, C. F. A bill authorizing Daniel Smead and Claybourn W. Hughes, to sell certain real estate.

Which was read a first and second time and referred to the committee on the Judiciary.

On motion of Mr. R. M. G. Patterson,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Wallace moved a call of the Council, which was had and the roll being called, it appeared that Messrs. Christie, Cox, Gehon, Harris, Leffler and R. M. G. Patterson were absent, the absentees appearing,

On motion of Mr. Wallace,

A further call of the Council was suspended.

No. 78, C. F. Joint resolution ordering the re-printing of certain acts therein named,

Was read a second time.

On motion of Mr. Springer,

Ordered, That said resolution be referred to the committee on the Judiciary.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—The House have passed

No. 125, H. R. F. An act to legalize the acts of certain road commissioners in Washington county.

No. 121, H. R. F. An act allowing and regulating writs of atachment.

Also with amendments,

No. 64, C. F. A bill defining crimes and punishments,

No. 70, C. F. A bill authorizing the several boards of county commissioners to grant permits for constructing dams across navigable rivers,

In which the concurrence of the Council is requested.

Also without amendment,

No. 75, C. F. Joint resolution authorizing the payment of money to the Secretary of the Territory.

I herewith present for your signature,

An act relative to the Probate of Wills, Executors, Administrators, Guardians, Trustees of Minors and Probate Courts and for defining their duties.

A bill providing for and regulating general elections.

An act to provide for assessing and collecting county and Territorial Revenue.

An act authorizing Arthur Thomas and others to erect a dam part way across the Des Moines river.

An act authorizing the construction of slopes in mill-dams in skunk river.

An act donating out lot No. 10 in Iowa City to the citizens thereof.

An act for the relief of Petit Jurors in certain cases,

An act to authorize Robert McKee and Ovid Grennell to construct a dam part way across the Des Moines river.

Joint resolution allowing B. F. Wallace and Joseph T. Fales an additional compensation.

Joint Resolution allowing Wilson & Keesecker additional compensation for printing the Journals of the House of Representatives of last session.

Joint Resolution fixing the compensation of George S. Hampton for services rendered the House of Representatives.

Joint resolution authorizing Hughes & Williams to print the Laws of the present Session,

The same being signed by the Speaker of the House of Representatives.

I herewith return

An act relative to the time of taking effect of the laws of the present session.

An act concerning Mortgages.

An act to vacate a part of the plat of the town of Port Allen and to legalize the relocation of a part of a Territorial road,

And then he withdrew.

The President then signed the above entitled acts.

No. 121, H. R. F. An act allowing and regulating writs of attachment.

Was read a first and second time.

On motion of Mr. Gehon,

Ordered, That said bill be referred to the committee on the Judiciary,

No. 125, H. R. F. An act to legalize the acts of certain road commissioners in Washington county,

Was read three times and passed.

Ordered, That the Secretary, notify the House accordingly.

No. 64, C. F. An act defining crimes and punishments,

As amended by the House, was taken up and the amendments considered.

On motion of Mr. Cook,

Ordered, That said bill do lie upon the table.

No. 72, H. R. F. A bill to relocate the county seat of Clayton county,

In which the House amended the amendment made by the Council, was taken up and considered,

And the question being put,

Will the Council concur in the amendment to the amendment?

It was agreed to.

Mr. Wm. Patterson from the select committee to which was referred

No. 67, C. F. A bill to amend the several acts providing for the erection of a penitentiary, &c., reported a substitute for said bill, which

Was read a first and second time.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary.

No. 70, H. R. F. An act authorizing the several boards of county commissioners to grant permits for constructing dams across navigable rivers,

As amended by the House was taken up and considered.

On motion of Mr. Cook,

The Council concurred in the amendments.

Mr. Wallace presented the account of Wm. Crum for Printing, amounting to $165.

On motion of Mr. Wallace,

Ordered, That said account be referred to the committee on claims.

Mr. Cook from the committee on enrolled bills reported as correctly enrolled.

An act to incorporate the "Iowa City College."

Joint resolution authorizing the payment of money to the Secretary of the Territory.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, February 14, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. President:—

The House have agreed to the report of the committee of conference recommending that the House insist upon their amendment to the 7th section of

No. 40, C. F. An act regulating ferries.

The House have passed,

No. 124, H. R. F. An act to locate a Territorial road in Louisa and Washington counties.

Also without amendment,

No. 68, C. F. An act regulating the salary of the Auditor of Public Accounts and Territorial Treasurer,

Also with amendments,

No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac & Fox Indians and for other purposes.

I herewith return,

Two enrolled bills and one Joint resolution,

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

Mr. Wm. Patterson from the select committee appointed for that purpose reported back

No. 108, H. R. F. A bill for the organization of county Medical Societies, and to regulate the practice of Medicine and Surgery,

And recommend its indefinite postponement.

Mr. R. M. G. Patterson from the committee on Incorporations reported back

No. 62, C. F. An act to prevent injury by Dogs,

And recommend its passage.

Mr. Cook from the committee on enrolled bills, reported as correctly enrolled,

An act authorizing the several boards of county commissioners, to grant permits for constructing dams across navigable rivers.

Mr. Cook from the committee on enrolled bills, reported that they did on the 10th inst. present to the Governor for his approval, the following named acts.

An act to amend an act to incorporate the Washington Manufacturing Company,

An act to provide for changing the venue in civil and criminal cases,

An act concerning mortgages,

An act relative to the time of taking effect of the laws of the present session,

An acto vacate a part of the town of Port Allen, and to legalize the relocation of a certain Territorial road.

Mr. Harris from the committee on roads, reported back without amendment,

No. 103, H. R. F. An act to relocate a part of the Territorial road from Davenport to Marion.

No. 81, C. F. Joint resolution for the relief of A. Logan,

Was read a second time.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and the resolution be read a third time now.

The resolution was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 52, H. R. F. A bill to prevent damage by the firing of prairies.

Was read a second time.

On motion of Mr. Teas,

Ordered, That said bill do lie upon the table.

No. 108, H. R. F. A bill for the organization of county Medical Societies and to regulate the practice of Physic and Surgery,

Was read a second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill be indefinitely postponed.

No. 62, C. F. An act to prevent injury by dogs,

Was read a second time.

A motion was made by Mr. Cook,

To strike out "or other domestic animal."

It was decided in the affirmative,

A motion was made by Mr. Cook,
To strike out the 2d section of said bill.
It was decided in the negative,
A motion was made by Mr. Cook,
That said bill be indefinitely postponed.
It was decided in the negative, yeas 3, nays 10.
The yeas and nays being desired by Mr. Wallace,
Those who voted in the affirmative, were
Messrs. Cox, Cook and Leffler.
Those who voted in the negative were,
Messrs. Christie, Gehon, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.
A motion was made by Mr. Cox,
To amend said bill by inserting the word "lawful" before the words enclosure.
It was agreed to.
A motion was made by Mr. Springer,
To strike out the proviso to the 2d section of said bill,
It was decided in the affirmative,
A motion was made by Mr. Cook,
To refer said bill to the committee on engrossed bills.
It was decided in the negative.
A motion was made by Mr. Leffler,
To lay said bill on the table until Saturday.
It was decided in the negative.
On motion of Mr. Gehon,
Ordered, That the 13th rule be suspended and the bill be read a third time now.
The bill was then read a third time aud passed.
A motion was made by Mr. Cook,
To amend the title of said bill by adding after the word dogs "and to legalize the killing of the same.
It was decided in the negative yeas 1, nays 12.
The yeas and nays being desired
Mr. Cook voted in the affirmative.
Those who voted in the negative were,
Messrs. Christie, Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.
So the bill passed.
Ordered, That the Secretary notify the House accordingly and request their concurrence.
No. 124, H. R. F. A bill to locate a Territorial road in Louisa and Washington counties,
Was read three times and passed.
Ordered, That the Secretary notify the House accordingly.
No. 40, C. F. An act regulating ferries,
Was taken up and the report of the committee of conference in relation to said bill was concurred in.

No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes, being returned from the House with sundry amendments.

On motion of Mr. Cox,

Ordered, That the Council disagree to the amendments made by the House to said bill.

No. 64, C. F. An act defining crimes and punishments, as amended by the House, was taken up and considered.

On motion of Mr. Cook,

Ordered, That the Council disagree to the amendment to the 36th section of said bill.

The other amendments were considered and concurred in.

Mr. Springer from the committee on the Judiciary reported back

No. 82, C. F. A bill authorizing Daniel Smead and Claybourn W. Hughes to sell certain real estate.

Which was read a second time.

On motion of Mr. Springer,

Ordered, That the 13th rule be suspended and the bill be read a third time now,

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 119, H. R. F. An act to locate a certain Territorial road therein named.

Was read a second time.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. H. R. F. An act to relocate a part of a Territorial Road from Davenport to Marion.

Was read a second time.

On motion of Mr. Harris,

Ordered That said bill be indefinitely postponed.

The President announced a communication from the Governor on Executive business.

On motion

The Council resolved itself into an Executive session.

After a short time the Executive Session rose.

On motion of Mr. Cook,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK P. M.

Mr. Springer from the committee on the Judiciary, reported back
No. 121, H. R. F. A bill allowing and regulating writs of attachment,
And recommended its indefinite postponement. Also,
No. 83, C. F. An act to amend the several acts providing for the erection of a Penitentiary, &c. And
No. 36, C. F. A bill to allow and regulate the action of Ejectment,
And recommended its passage.
No. 36, C. F. A bill to allow and regulate the action of Ejectment,
Was read a second time.
On motion of Mr. Teas,
Ordered, That the 13th rule be suspended and said bill be read a third time now.
The bill was then read a third time and passed.
Ordered, That the Secretary notify the House accordingly, and request their concurrence.
No. 121, H. R. F. A bill allowing and regulating writs of attachment,
Was read a secoud time.
On motion of Mr. Cox,
Ordered, That said bill do lie upon the table.
No. 83, C. F. A bill to amend the several acts providing for the erection of a Penitentiary, &c.
Was read a second time.
On motion of Mr. Springer,
The Council resolved itself in a committee of the whole, for the consideration of said bill.
After some time spent therein, Mr. President resumed the chair, and Mr. Teas reported that the committee had, according to order had said bill under consideration and instructed him to report the same back to the Council with amendments.
On motion of Mr. Gehon,
Ordered, That said bill be referred to a select committee of one from each electoral district with instructions to report to-morrow morning.
Messrs. Christie, Cox, Cook, Harris, Jenkins, Leffler, Wm. Patterson, Springer, Teas and Wallace, were appointed said committe.
On motion of Mr. Jenkins,
That the Council adjourn until to-morrow morning at 10 o'clock.

WEDNESDAY MORNING, FEBRUARY 15, 1843.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—The House have passed

No. 122, H. R. F. A bill to legalize the acts of Jas. M. Denison an acting Justice of the Peace in and for the county of Linn.

No. 128, H. R. F. An act to legalize the acts of Wilson Stanly, administrator and Mary Duval administratrix of the estate of Samuel G. Jackson deceased.

No. 92, H. R. F. A bill to authorize the county commissioners of Scott and Lee counties to grant Licences to Pilots on the Upper and Lower Rapids of the Mississippi river.

No. 43, H. R. F. An act allowing the holders of a charter to erect a dam across the Des Moines River at Bentonport further time to vacate a portion of the town plat of Bentonport.

No. 77, C. F. An act to regulate conveyances,

No. 112, H. R. F. An act regulating Marriages.

The House have receded from their amendment to the 36th section of

No. 64, C. F. A bill defining crimes and punishments,

The House insist upon all their amendments to

No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes.

I am directed to inform the Council that the Governor has returned to the House of Representatives (the same having originated there.)

An act to divorce certain persons therein named, with his reasons for not approving the same, and that the House have again considered and passed the bill by the constitutional majority, and directed me to present the same together with the Governors communications for the consideration of the Council.

And then he withdrew.

Mr. Cook from the committee on enrolled bills, reported

An act Regulating Ferries, and

An act regulating the salary of the Auditor of Public Accounts and Treasurer,

As correctly enrolled.

Mr. Cook from the committee on enrolled bills, reported that they did on the 14th inst. present to the Governor for his approval, the following named acts.

Joint resolution authorizing the payment of money to the Secretary of the Territory.

An act for the limitation of actions and for avoiding vexatious law suits, and

An act to incorporate the "Iowa City College."

Mr. Springer from the committee on the Judiciary reported

No. 84, C. F. Joint resolution relative to the printing of the laws as a substitute for

No. 78, C. F. Joint resolution ordering the reprinting of certain acts therein named.

Was read a first time.

Mr. Springer from the committee on the Judiciary, reported

No. 85, C. F. A bill to amend the several acts therein named.

Which was read a first time.

No. 122, H. R. F. A bill to legalize the acts of James M. Denison an acting Justice of the Peace in and for Linn county.

No. 43, H. R. F. An act allowing the holders of a charter to erect a dam across the Des Moines at Bentonsport further time to vacate a portion of the town plat of Bentonsport,

Were severally read three times and passed.

Ordered, That the Secretary notify the House accordingly.

No. 128, H. R. F. An act to legalize the acts of Wilson Stanly administrators and Mary Dnval administratrix of the estate of Lemuel G. Jackson, deceased,

Was read a first and second time.

On motion of Mr. President,

Ordered, That said bill do lie upon the table.

No. 92, H. R. F. A bill to authorize the county commissioners of Scott and Lee counties to grant Licenses to Pilots on the Upper and Lower Rapids of the Mississippi River.

Was read a first and second time.

On motion of Mr. Wm. Patterson,

Ordered, That said bill do lie upon the table.

No. 112, H. R. F. An act regulating Marriages,

Was read a first and second time.

A motion was made by Mr. Jenkins,

That said bill do lie upon the table until the 4th of July next.

It was decided in the affirmative, yeas 12 nays 1.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Christie, Cox, Cook, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas, Wallace and Elbert, President.

Mr. Gehon, voted in the negative.

No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac & Fox Indians and for other purposes,

In which the House insist on their amendments,

Was taken up.

On motion of Mr. Teas,

Ordered, That a committee of conference be appointed on the part of the Council to act with a similar committee to be appointed by the House on the disagreeing votes of said bill.

The President appointed Messrs. Teas, Cox and Wallace said committee.

An act to divorce certain persons therein named, having been returned from the House with the objections of the Governor,

Which being read.

On motion of Mr. Wallace,

Ordered, That said bill and objections do lie upon the table.

On motion of Mr. Elbert,

Ordered, That

No. 128, H. R. F. An act to legalize the acts of Wilson Stanly administrator and Mary Duval administratrix of the estate of Lemuel G. Jackson deceased,

Be taken from the table.

On motion of Mr. Elbert,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Teas,

Ordered, That

No. 52, H. R. F. A bill to prevent damage by the firing of prairies.

Be taken from the table.

A motion was made by Mr. Teas,

That said bill do lie upon the table until the 4th of July next.

It was decided in the negative yeas 4, nays 9.

The yeas and nays being desired by Mr. Leffler,

Those who voted in the affirmative, were

Messrs. Gehon, Leffler, Springer, and Teas.

Those who voted in the negative were,

Messrs. Christie, Cox, Cook, Harris, Jenkins, Wm. Patterson, R. M. G. Patterson, Wallace and Elbert, President.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

On motion of Mr. Cook,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

On motion of Mr. Cook,
Ordered, That
No. 42, C. F. A bill to incorporate the Muscatine Farmers and Mechanics' Exchange Company,
Be taken from the table.
The bill was then taken from the table.
A motion was made by Mr. Cox,
That it be indefinitely postponed.
It was decided in the negative yeas 6 nays 6.
The yeas and nays being desired
Those who voted in the affirmative were,
Messrs. Cox, Gehon, Jenkins, Leffler, R. M. G. Patterson and Teas.
Those who voted in the negative were
Messrs. Cook, Harris, Wm. Patterson, Springer, Wallace and Elbert, President.
A motion was made by Mr. Cook,
That said bill be referred to the delegations from Muscatine and Johnson and Cedar, Linn and Jones, with instructions to report a repealing clause.
It was decided in the affirmative, yeas 7, nays 6.
The yeas and nays being desired
Those who voted in the affirmative were
Messrs. Christie, Cook, Harris, Wm. Patterson, Springer, Wallace and Elbert, President.
Those who voted in the negative were,
Messrs. Cox, Gehon, Jenkins, Leffler, R. M. G. Patterson and Teas.
On motion of Mr. Springer,
No. 121, H. R. F. A bill allowing and regulating writs of attachment,
Was taken from the table.
On motion of Mr. Cox,
Ordered, That said bill be referred to a select committee, with instructions to report certain amendments.
Messrs. Cox, Springer and Leffler, were appointed said committee.
No. 84, C. F. Joint resolution relative to the printing of the laws,
Was read a second time.
On motion of Mr. Springer,
Ordered, That the 13th rule be suspended and said resolution be read a third time now,
The resolution was then read a third time and passed.
Ordered, That the Secretary notify the House accordingly and request their concurrence.

No. 85, C. F. A bill to amend the several acts therein named,

Was read a second time.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly, and request their concurrence.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—

I am directed to inform the Council that the House have passed

No. 126, H. R. F. A Joint resolution relative to the preparation, indexing, and distribution of the Revised Statutes,

No. 127, H. R. F. A bill to amend an act entitled an act to allow and regulate the action of ejectment.

Also with amendments,

No. 65, C. F. An act defining the number of copies of the laws of the present session to be published and the mode of their distribution.

No. 62, C. F. An act to prevent injury by dogs,

Also without amendment,

No. 76, C. F. Joint resolution for the relief of the estate of James M. Hawkins, deceased.

I herewith return several enrolled bills the same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled acts.

No. 62, C. F. An act to prevent injury by Dogs,

As amended by the House was taken up and the amendment considered,

And the question being put,

Will the council concur in the amendment?

It was decided in the affirmative yeas 9, nays 4.

The yeas and nays being desired

Those who voted in the affirmative were

Messrs. Christie, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

Those who voted in the negative were

Messrs. Cox, Cook, Springer and Wallace.

No. 65, C. F. An act defining the number of copies of the laws of the present session to be published and the mode of their distribution,

Was taken up as amended by the House, and the amendments considered.

A motion was made by Mr. Springer,

That the Council concur in the amendments,

It was agreed to.

No. 126, H. R. F. A Joint resolution relative to the preparation, indexing and distribution of the Revised Statutes.

Was read a first and second time.

On motion of Mr. Cook,

Ordered, That said resolution be read a third time to-morrow.

No. 127, H. R. F. A bill to amend an act entitled an act to allow and regulate the action of ejectment,

Was read a first and second time.

On motion of Mr. Cook,

Ordered, That said bill be referred to the committee on the Judiciary.

A motion was made by Mr. Springer,

That An act to divorce certain portions therein named, be taken from the table,

It was decided in the negative, yeas 5, nays 8.

The yeas and nays being desired by Mr. Elbert,

Those who voted in the affirmative were,

Messrs. Christie, Cook, Springer, Teas and Elbert, President.

Those who voted in the negative, were

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

Mr. President:—The House have passed without amendment

No. 36, C. F. A bill to allow and regulate the action of Ejectment,

And then he withdrew.

Mr. Harris on leave being granted introduced the petition of Hughes & Williams, praying further time for the printing and delivery of the laws.

On motion of Mr. Harris,

Ordered, That said petition be referred to a select committee.

The President appointed Messrs. Harris, Cook and Christie said committee.

On motion of Mr. Gehon,

Resolved, That the committee on the Judiciary be instructed to report to-morrow morning upon the Miners' Bank of Dubuque.

Mr. Cook from the committee on enrolled bills reported as correctly enrolled.

An act to regulate conveyances.

Mr. Cook from the committo on enrolled bills reported that they did on the 14th inst. present to the Governor for his approval,

An act authorizing the several boards of county commissioners, to grant permits to construct dams across the navigable streams in this Territory.

On motion of Mr. R. M. G. Patterson,

The Council adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, FEBRUARY 16, 1843.

A message from the House of Representatives by Mr. Wallace their Chief Clerk,

Mr. PRESIDENT:—

The House have appointed Messrs. Barton, Felkner and Berry a committee of conference in relation to the disagreeing vote of the two Houses upon

No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes.

And then he withdrew.

Mr. Leffler being in the Chair officiating as President,

Mr. Jenkins asked leave of absence for Mr. Elbert,

Leave was granted,

On motion of Mr. Springer,

Resolved, That the thanks of the Council are hereby tendered to the Hon. J. D. Elbert, for the able, impartial, and highly satisfactory manner in which he has discharged the duties of President of the Council during the present session.

Mr. Harris from the select committee, reported

No. 86, C. F. A Joint Resolution extending the time required to deliver the general laws of the present session.

Which was read a first time.

Mr. Cox on leave introduced

No. 87, C. F. A bill to provide for the payment of the debts of the Territory,

Which was read a first and second time.

On motion of Mr. Wallace,

Ordered, That said bill be referred to the committee on the Judiciary, with instructions to report this afternoon.

Mr. Springer from the select committee reported back with amendment,

No. 121, H. R. F. An act allowing and regulating writs of attachment.

Mr. Springer from the committee on the Judiciary, reported back with amendment,

No. 127, H. R. F. A bill to amend an act entitled an act to allow and regulate the action of ejectment.

Mr. Cook from the committee on enrolled bills, reported as correctly enrolled the following named acts.

An act to allow and regulate the action of Ejectment,

An act to prevent injury by dogs.

An act defining crimes and punishments,

An act defining the number of copies of the laws of the present session to be published and the mode of their distribution.

Joint resolution for the relief of the estate of James M. Hawkins deceased.

Mr. Cook from the committee on enrolled bills reported that they did on the 15th inst. present to the Governor for his approval the following named acts.

An act regulating the salary of the Auditor of public accounts and Treasurer.

An act regulating ferries.

Mr. Cook from the select committe, reported

No. 43, C. F. A bill to incorporate the Muscatine Farmers' & Mechanics' Exchange company, with amendments.

Mr. Wm. Patterson on leave being granted introduced

No. 88, C. F. A bill to amend the several acts providing for the erection of a Penitentiary, &c.

Which was read a first and second time.

On motion

Ordered, That said bill be referred to the committee on the Judiciary,

No. 121, H. R. F. A bill allowing and regulating writs of attachment,

Was read a second time.

A motion was made by Mr. Springer,

To amend said bill by striking out the 2d section.

It was agreed to.

On motion of Mr. Cook,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 127, H. R. F. A bill to amend an act entitled an act to allow and regulate the action of ejectment.

Was read a second time.

On motion of Mr. R. M. G. Patterson,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 43, C. F. A bill to incorporate the Muscatine Farmers' & Mechanics' Exchange company,

Was read a second time.

On motion of Mr. Harris,

Ordered, That the 13th rule be suspended and said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

No. 126, H. R. F. A Joint resolution relative to the preparation, indexing and distribution of the Revised Statutes,

Was read a third time.

A motion was made by Mr. Springer,

That said bill be referred to the committee on the Judiciary.

It was decided in the negative.

The question being put, shall the bill pass?

It was decided in the affirmative,

Ordered, That the Secretary, notify the House accordingly.

No. 86, C. F. A Joint resolution extending the time required to deliver the laws of the present session,

Was read a second time.

A motion was made by Mr. Cook,

To amend said resolution by adding the following:

Provided, That 1000 copies of the laws of a general nature shall be ready by the 12th day of June next.

It was decided in the negative,

A motion was made by Mr. Springer,

To amend said resolution by striking out the words "first of July" and insert the "twentieth day of June."

It was agreed to.

On motion

Ordered, That the 13th rule be suspended and that said resolution be read a third time now.

The resolution was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly and request their concurrence.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith present for your signature,

Three enrolled bills,

I also return five enrolled bills,

All of which have been signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above acts.

On motion of Mr. Cox,

The Council adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Springer from the committee on the Judiciary, reported back
No. 88, C. F. A bill to amend the several acts providing for the erection of a Penitentiary, &c.
With amendments,
Which was read a first and second time.
On motion of Mr. Wm. Patterson,
Ordered, That the 13th rule be suspended and said bill be read a third time now.
The bill was then read a third time and passed.
Ordered, That the Secretary notify the House accordingly and request their concurrence.
Mr. Springer from the committee on the Judiciary, reported back with amendments,
No. 87, C. F. A bill creating a school fund.
Which was read a first time.
On motion of Mr. Gehon,
Resolved, That the Sergeant-at-arms, Messenger, Fireman and Enrolling Clerk of the Council, each receive two dollars and seventy-seven cents per day for seventy-two days as officers of the Council.
A message from the House of Representatives by Mr. Wallace, their Chief Clerk.
Mr. PRESIDENT:—The House have passed
No. 130, H. R. F. A bill to provide for the compensation of Members, Officers and Printers of the Legislative Assembly and for other purposes.
Also with amendment,
No. 84, C. F. Joint resolution relative to the printing of the laws.
The House have also passed,
No. 120, H. R. F. Joint resolution relative to the repayment of the fine imposed upon General Jackson, and
No. 85, C. F. A bill to amend the several acts therein named,
And then he withdrew.
A bill creating a school fund being a substitute for
No. 87, C. F. A bill to provide for the payment of the debts of the Territory,
Was under consideration,
And the question being put,
Will the Council adopt the substitute?
It was decided in the negative, yeas 4, nays 8.
The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were,
Messrs. Cook, Harris, Springer and Wallace.
Those who voted in the negative were,
Messrs. Christie, Cox, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Elbert President.

A motion was made by Mr. Wm. Patterson,
That the 13th rule be suspended and the original bill be read a third time now.

It was decided in the negative yeas 8, nays 4.
The yeas and nays being desired
Those who voted in the affirmative were
Messrs. Christie, Cox, Gehon, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Elbert, President.
Those who voted in the negative, were
Messrs. Cook, Harris, Springer, and Wallace.
So the rule was not suspended, three-fourths not voting therefor.

On motion of Mr. Wm. Patterson,
Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Leffler,
Ordered, That the committee on the Judiciary be required to report forthwith the bill for winding up the affair of the Miners' Bank of Dubuque.

No. 84, C. F. Joint resolution relative to the printing of the laws,
Being returned from the House with amendments, was taken up, considered and concurred in.

No. 85, C. F. A bill to amend the several acts therein named,
Being returned from the House with amendments,
Was taken up and the amendments considered, and concurred in.

No. 120, H. R. F. Joint resolution relative to the repayment of the fine imposed upon General Jackson,
Was read a first and second time.
A motion was made by Mr. Cook,
That said resolution do lie on the table.
It was decided in the negative yeas 6 nays 7.
The yeas and nays being desired by Mr. Wm. Patterson,
Those who voted in the affirmative, were
Messrs. Christie, Cook, Jenkins, Springer, Wallace and Elbert, President.
Those who voted in the negative, were
Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, and Teas.

A motion was made by Mr. Leffler,
To read said resolution to-morrow.
It was decided in the affirmative yeas 8, nays 5.
The yeas and nays being desired,
Those who voted in the affirmative, were
Messrs. Cox, Gehon, Harris, Leffler, Wm. Patterson, R. M. G. Patterson, Teas and Elbert, President.

Those who voted in the negative were,

Messrs. Christie, Cook, Jenkins, Springer and Wallace.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

MR. PRESIDENT:—The House have passed

No. 86, C. F. A Joint Resolution extending the time required to deliver the general laws of the present session.

The House have indefinitely postponed,

No. 43, C. F. A bill to incorporate the Muscatine Farmers' & Mechanics' Exchange company,

The House have passed,

No. 88, C. F. A bill to amend the several acts providing for the erection of a Penitentiary,

And then he withdrew.

No. 130, H. R. F. A bill to provide for the compensation of Members, Officers and Printers of the Legislature and for other purposes,

Was read a first and second time.

On motion of Mr. Springer,

Ordered, That said bill be referred to the committee on expenditures.

Messrs. Wallace and Springer were added to said committee.

On motion of Mr. Leffler,

Ordered, That the

Act to divorce certain persons therein named, be taken from the table and passed by the constitutional majority.

Mr. Teas asked to be excused from voting,

And the question being put,

It was decided in the affirmative, yeas 10, nays 2.

The yeas and nays being desired by Mr. Springer,

Those who voted in the affirmative were

Messrs. Cox, Cook, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Wallace and Elbert, President.

Those who voted in the negative were

Messrs. Christie and Springer.

The question then recurring on the passage of the act, by the constitutional majority.

It was decided in the affirmative, yeas 8 nays 4.

The yeas and nays being desired

Those who voted in the affirmative were,

Messrs. Cox, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson and Wallace.

Those who voted in the negative, were

Messrs. Christie, Cook, Springer and Elbert, President.

Two-thirds voting therefor, the act passed.

Mr. Wallace being in the Chair officiating as President.

The President asked to strike from the Journal the leave of absence granted to him this morning as the same was unauthorized by him.

Mr. Wallace President, decided it out of order to erase or alter the Journal.

On motion of Mr. R. M. G. Patterson,
The Council adjourned until 7½ o'clock this evening.

7 O'CLOCK.

A motion was made to reconsider
The vote taken on engrossing and reading to-morrow.
No. 87, C. F. A bill to provide for the payment of the debts of the Territory.

It was agreed to.

On motion of Mr. Wm. Patterson,
Ordered, That the 13th rule be suspended and said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith present for your signature,
An act to amend an act entitled an act to allow and regulate the action of right and ejectment.

I also present for your signature a certificate that,
An act to divorce certain persons therein named,
Has been passed by a majority of two-thirds.

The House have passed,
No. 131, H. R. F. A bill to repeal the forty-second section of an
Act defining crimes and punishments, passed at the Session of 1842–43.

And also, that the House have agreed to the report of the committee of conference on the part of the House relative to the disagreeing vote upon
No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac & Fox Indians and for other purposes,

Mr. Cook from the committee on enrolled bills reported as correctly enrolled.

Joint resolution relative to the printing of the laws,
A bill to amend the several acts therein named,
Joint resolution extending the time required to deliver the general laws of the present session,
A bill to amend the several acts providing for the erection of a Penitentiary, &c.

Mr. Teas from the committee of conference on the part of the Council relative to the disagreeing vote upon
No. 56, C. F. An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes; reported thereon, which report was concurred in.

Mr. Leffler from the committee on expenditures, reported back with amendments,

No. 130, H. R. F. A bill to provide for the compensation of Members, Officers, and Printers, of the Legislative Assembly and for other purposes,

On motion of Mr. Wallace,

Ordered, That the 13th rule be suspended and the bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

A message from the House of Representatives by Mr. Wallace their Chief Clerk,

Mr. PRESIDENT:—

The House have passed without amendment,

No. 87, C. F. A bill to provide for the payment of the debts of the Territory.

And then he withdrew.

No. 131, H. R. F. A bill to repeal the 42d section of an act defining crimes and punishments, passed at the session of 1842–43.

Was read three times and passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Lefiler moved a call of the Council, which was had, and the roll being called it appeared that Messrs. Springer & Wallace were absent.

The seargeant-at-arms was directed to require their attendance.

On motion of Mr. Teas,

Ordered, That the Council resolve itself into an Executive session.

After a short time the Executive Session rose.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith present for your siggnature several enrolled bills the same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above enrolled bills.

Mr. Gehon offered the following:

Resolved, That the committee on the Judiciary, be instructed to report to the Council forthwith

No. 23, H. R. F. A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the same,

And the question being put, shall the resolution be adopted?

It was decided in the affirmative, yeas 12, nays 0.

The yeas and nays being desired by Mr. Gehon,

Those who voted in the affirmative were,

Messrs. Christie, Cox, Cook, Gehon, Harris, Jenkins, Leffler, Wm. Patterson, R. M. G. Patterson, Springer, Teas and Elbert, President.

Mr. R. M. G. Patterson moved a call of the Council which was had and on the roll being called it appeared that Mr. Wallace was absent.

The seargeant-at-arms was directed to require his attendance.

On motion of Mr. Cook,

A further call of the Council was suspended.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

The House have disagreed to the amendment of the Council to the 11th section of

No. 130, H. R. F. A bill to provide for the compensation of Members, Officers & Printers of the Legislative Assembly, and for other purposes.

I herewith present for your signature,

An act to repeal the 42d section of an act defining crimes & punishments

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act.

No. 130, H. R. F. A bill to provide for the compensation of Members, Officers & Printers of the Legistative Assembly and for other purposes, in which the House disagree to the amendment made by the Council was taken up and considered.

On motion of Mr. Cook,

Ordered, That a committee of conference be appointed by the Council on the disagreeing vote between the two Houses.

The President appointed Messrs. Cook, Teas and Leffler said committee.

Mr. Wm. Patterson from the committee on enrolled bills, reported as correctly enrolled

An act to provide for the payment of the debts of the Territory.

Mr. Elbert moved a call of the Council, which was had, and on calling the roll, it appeared that Mr. Wallace was absent.

The sergeant-at-arms was directed to require his attendance.

After a short time, Mr. Wallace appearing a further call was dispensed with.

Mr. Wm. Patterson from the committee on enrolled bills, reported as correctly enrolled

An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians and for other purposes.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—I herewith return

An act to provide for the payment of the debts of the Territory. And

An act to establish new counties and define their boundaries in the late cession of the Sac and Fox Indians, and for other purposes.

And then he withdrew.

The President then signed the above entitled acts.

On motion of Mr. Elbert,

Ordered, That

No. 120, H. R. F. Joint resolution relative to the re-payment of the fine imposed upon General Jackson, be taken from the table.

On motion of Mr. Elbert,

Ordered, That the 13th rule be suspended and said resolution be read a third time now,

The resolution was then read a third time.

On motion of Mr. Elbert,

Ordered, That said resolution do lie upon the table.

Mr. Cook from the committee of conference on the part of the Council relative to the disagreeing vote of the two Houses upon

No. 130, H. R. F. A bill to provide for the compensation of Members, Officers & Printers of the Legislature, and for other purposes,

Reported the same back and recommended the reconsideration of the vote upon said bill.

A motion was made by Mr. Cook,

To reconsider the vote taken on the passage of said blil.

It was agreed to.

A motion was made by Mr. Cook,

To amend said bill by allowing Hughes & Williams an additional sum of 51 00 dollars.

It was agreed to.

On motion of Mr. Cook,

Ordered, That said bill be read a third time now.

The bill was then read a third time and passed.

Ordered, That the Secretary notify the House accordingly.

Mr. Springer from the committee on the Judiciary reported back

No. 23, H. R. F. A bill to repeal the charter of the Miners'-Bank of Dubuque and to provide for winding up the affairs of the same, with a report adverse to the passage of the bill.

On motion of Mr. Cox,

Ordered, That said bill and report do lie upon the table until to-morrow morning.

A message from the House of Representatives by Ms. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith present for your signature,

An act allowing and regulating writs of attachment.

And then he withdrew.

The President then signed the above entitled act.

On motion of Mr. Wallace,

The Council adjourned until to-morrow morning at 6½ o'clock, P. M.

Friday Morning, February 17, 1843.

Mr. Cook from the committee on enrolled bills reported that they did on the 16th inst. present to the Governor for his approval the following named acts.

An act to legalize the acts of Wilson Stanly, administrator and Mary Duval administratrix of the estate of Samuel G. Jackson deceased.

Joint resolution for the relief of the estate of James M. Hawkins deceased,

An act defining crimes and punishments,

An act allowing the holders of a charter to erect a dam across the Des Moines River at Bentonport and further time to vacate a portion of the town plat of Bentonport.

An act to allow and regulate the action of ejectment.

An act to regulate conveyances.

An act to prevent injury by dogs.

An act to legalize the acts of Jas. M. Denison an acting Justice of the Peace in and for the county of Linn.

An act defining the number of copies of the laws of the present session to be published and the mode of their distribution.

Joint resolution extending the time required to deliver the general laws of the present session,

An act to amend the several acts providing for the erection of a Penitentiary, &c.

An act to amend the several acts therein named,

Joint resolution relative to the printing of the laws,

An act to establish new counties and define their boundaries in the late cession of the Sac and Fox Indians, and for other purposes.

An act to provide for the payment of the debts of the Territory.

A motion was made by Mr. Leffler,

To take from the table

No. 23, H. R. F. A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the same,

Together with the report of the committe on the Judiciary on the subject.

It was decided in the negative yeas 5, nays 7.

The yeas and nays being desired,

Those who voted in the affirmative, were

Messrs. Gehon, Harris, Leffler, Wm. Patterson and Teas.

Those who voted in the negative, were

Messrs. Christie, Cox, Cook, R. M. G. Patterson, Springer, Wallace and Elbert, President.

A message from the House of Representatives by Mr. Wallace their Chief Clerk.

MR. PRESIDENT:—

I herewith present for your signature,

An act to provide for the compensation of Members, Officers, and Printers, of the Legislative Assembly and for other purposes,

The same being signed by the Speaker of the House of Representatives.

And then he withdrew.

The President then signed the above entitled act.

Messrs. Lewis and Biggs a committe from the House being announced, informed the Council that the House had no further business before them, and are now ready to adjourn sine die.

On motion of Mr. Cox,

Ordered, That a committee be appointed to wait on the House and inform that body that the Council have no further business before them and are now ready to adjourn.

Messrs. Cox and Cook were appointed said committee.

On motion of Mr. Springer,

Ordered, That a committee be appointed in conjunction with a similar committe on the part of the House, with instructions to wait on his Excellency the Governor, and inform him that the two Houses of the Legislative Assembly have no further business before them, and that if his Excellency has no further communications to make, both branches of the Legislature stand ready to adjourn sine die.

Messrs. Springer and Christie were appointed said committee.

A message from the House of Representatives by Mr. Wallace, their Chief Clerk.

Mr. PRESIDENT:—

The House have appointed Messrs. Robertson and McCulloch a committee on the part of the House, to act with a similar committee to be appointed by the Council, to wait upon the Governor and inform him that the two Houses are now ready to adjourn *sine die*, and to ascertain whether he has any further communications to make to them.

And then he withdrew.

Mr, Springer from the joint committee appointed to wait upon his Excellency the Governor and inform him that the two Houses are now ready to adjourn sine die, reported that they had performed that duty, and that the Governor had no further communications to make to either branch of the Legislative Assembly.

On motion of Mr. Wallace,

Ordered, That the Council do now adjourn *sine die*.

The President then arose and addressed the Council as follows:

GENTLEMEN:—

Permit me now to express my gratitude for the very flattering testimony you have borne to my conduct as your presiding officer.

Inexperienced in Legislative proceedings, I accepted of the honors of the Chair reluctantly, and am well aware that the duties pertaining thereto, have been but imperfectly discharged.

In discharging the duties assigned me, I am not conscious of having acted with partiality toward any one, and if on any occasion it may have appeared to any that I have so done, I hope it will be considered an error of the head and not the of heart.

The time allowed us for Legislation has expired, and the session has been one of much labor, great anxiety, and deeply interesting, much has been done and I trust well done.

Your untiring efforts to perfect a code of laws for the people of this rapidly rising, interesting and beautiful Territory, cannot fail to meet their entire approbation.

And now, Gentlemen, I bid you farewell and may the angel of peace and harmony which has presided over us, during our deliberations attend you to the bosoms of your families, and may you be welcomed home by your constituents as good and faithful public servants.

You stand adjourned *sine die*.

APPENDIX.

RULES OF THE COUNCIL.

ORDER OF DAILY BUSINESS.

After the Journal is read, the following order shall govern:

1st—Petitions or memorials to be offered.

2d—Resolutions.

3d—Reports of Committees.

4th—Communications on the President's table.

5th—Reports in possession of the Council, which offer grounds for a bill.

6th—Bills or other matters before the Council and unfinished the preceding day.

7th—The above business being dispatched, the general file of bills and other papers will be then taken up agreeably to their first introduction to the Council.

STANDING RULES.

1. The Council shall choose, by ballot, one of their own number to occupy the Chair. He shall be styled President, and shall hold his office during the session of the Council at which he was elected. He shall take the chair at the hour to which the Council is adjourned, and call the members to order; and, if a quorum be present, he shall direct the Journal of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and shall decide all questions of order, subject to an ap-

peal to the Council. In committee of the whole he shall call some member to the chair; he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall, unless otherwise directed by the Council, appoint all committees. He shall vote on a call of the yeas and nays. In the absence of the President the Council may appoint a President *pro tem.* to occupy the chair during such absence.

2. Any member may have a call of the Council, and absent members sent for. If, upon such call, absent members cannot be found in a reasonable time, then such call shall be suspended on motion of any member of the Council.

3. All questions (except on motion) shall be put in this form: "You who are of opinion (as the case may be) say Aye; those of the contrary opinion say No;" and, in all cases, any member may call for a division, or for the yeas and nays, which shall be recorded by the Secretary.

4. When a motion is made and seconded, it shall be stated by the member making the same, or read by the Secretary previous to debate. If any member shall make any motion (except to adjourn, postpone or commit) he shall reduce the same to writing upon the request of the President or any member of the Council. Any motion may be withdrawn by consent of the Council before final decision on the same.

5. Every member present, when a question is put, shall vote, unless he shall, for special cause, be excused by vote of the Council.

6. A motion to adjourn shall always be in order, and be decided without debate.

7. When a member is about to speak, he shall rise in his place and address himself to the President; and the President shall address the member entitled to the floor by name; and, when a member is speaking, no person shall pass between him and the President's chair, nor shall he be interrupted when speaking, except by a call to order by the President, or by a member through the President. No member shall speak more than twice on any question without leave of the Council.

8. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, to amend, or to take the previous question; which several motions shall have precedence in the order they stand arranged.

9. The previous question shall be put in these words: "Shall the main question be now put?" and it shall be admitted on the demand of four members rising in their places for that purpose, and, until decided, shall preclude all amendments under debate of the main question.

10. Any member may call for a division of the question, when the same will admit thereof.

11. No committee shall absent themselves from the Council Chamber by reason of their appointment, during the sitting of the Council, without special leave.

12. Every bill shall be introduced on the report of a committee, or by motion for leave, on giving at least one day's previous notice.

13. Every bill shall receive three several readings previous to its passage; but no bill shall have its second and third readings on the same day, without special order of the Council.

14. The first reading of a bill shall be for information, and if objections be made to it, the question shall be, "Shall the bill be rejected?" If no objections be made, or the question to reject be lost, the bill shall go to its second reading without further question.

15. Upon the second reading of a bill or resolution, the President shall state it as ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee, or to a committee of the whole. If to a committee of the whole, the Council shall determine on what day. But if the bill be ordered to be engrossed, the Council shall appoint the day when it shall be read the third time. No bill or resolution that requires three readings shall be committed or amended until it shall have been twice read.

16. When a question is lost on engrossing a bill for a third reading, on a particular day, it shall not preclude a question to engross it for a third reading on a different day. On the third reading of a bill or resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present.

17. When a bill or resolution is engrossed, the President shall, at the time previously appointed by the Council, announce the same as ready for a third reading, without a question.

18. A bill or resolution may be committed at any time previous to its passage; if any amendment be reported upon commitment, by any other than a committee of the whole, the bill or resolution may be again read a second time and considered as in committee of the whole; and, if considered in committee of the whole, the question for its engrossment and third reading shall again be put.

19. In filling blanks, the largest sum and longest time shall be first put.

20. When the Council is equally divided on a questiou, the same shall be lost.

21. When a motion or question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

22. All acts, addresses and resolutions shall be signed by the President, and all writs, warrants and subpœnas, issued by order of the Council, shall be under his hand and seal, attested by the Secretary.

23. Petitions, memorials, and other papers, addressed to the Council, shall be presented by any member in his place; a brief statement of the contents thereof shall be made verbally by the member introducing the same, and shall not be debated or decided on the day of their being first read, unless the Council shall direct otherwise, but shall lie on the table (to be taken up in the order they were read) or be referred, on motion, to a committee.

24. Before a bill shall have passed the Council, it shall be the duty of the Secretary to have the same engrossed, after which it shall be examined

by a standing committee for that purpose, who shall carefully compare the original with the engrossed bill, and, correcting any errors that may be discovered in the engrossed bill, shall make their report forthwith to the Council.

25. A Secretary, Assisting Secretary, and one Transcribing Clerk, shall be appointed, to hold their places during the pleasure of the Council; they shall take an oath for the true and faithful discharge of their duties in their respective offices. The Secretary shall keep a correct journal of the daily proceedings, and perform such other duties as shall appertain to his office. He shall let no journal, records, accounts or papers be taken from the table or out of his custody, other than by the regular mode of business of the Council; and if any papers in his charge shall be missing, he shall make report to the President, that it may be inquired into. It shall be the duty of the Transcribing Clerk to transcribe, enrol, copy, and engross all bills, memorials and resolutions, and to perform all other duties that the Secretary may assign him.

26. A Sergeant-at-Arms, Messenger and Fireman snall be appointed, to hold their offices during the pleasure of the Council. It shall be their duty to attend the Council during its sittings, and to execute the commands of the President and Council; they shall take an oath truly and faithfully to discharge their respective duties in office.

27. When a message shall be sent from the Governor to the Council, it shall be communicated to the Chair by the person by whom it is sent.

28. No person shall be elected to any office created by these rules, unless he shall receive a majority of the whole number of votes given.

29. When nominations shall be made in writing by the Governor, a future day shall be assigned, unless the Council unanimously direct otherwise, for taking them into consideration.

30. It shall be the duty of the members and officers to keep all information or remarks touching or concerning the character or qualifications of any person nominated by the Governor to office, inviolably secret; also the proceedings and business of the Council when in Executive session.

31. Before acting on confidential or Executive business, the Council shall be cleared, by direction of the President, of all persons excepting the Secretary and Sergeant-at-Arms.

32. The proceedings of the Council, when they shall act in their Executive capacity, shall be kept in separate and distinct books; and no part of the Executive journal shall be published but by special order.

33. No member or officer shall read the newspapers within the bar of the Council while in session.

34. The President is authorized and required to administer all oaths prescribed by these rules.

35. Every resolution read by the Secretary, by direction of a member, shall be considered to be before the Council; and the question to adopt or reject may be immediately put on such resolutions, or on motion of a member the same may be laid on the table.

36. No standing rule or order of the Council shall be rescinded or suspended, except by a vote of three-fourths of the members present.

37. All bills brought into the Council by any member or committee, shall be endorsed with the name of the member or committee bringing in the same.

38. When a member shall be called to order, he shall sit down until the President shall determine whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Council by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President and Council may be better enabled to judge of the matter.

39. No member shall vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put.

40. The following officers and persons present at any time during the sitting of the Council, shall be entitled to a seat within the bar: The Governor, Secretary, Attorney General of the Territory, Judges of the Supreme Court, Members of Congress, Members of the House of Representatives, former members of the Council, members of the State Legislatures, Editors wishing to take down the debates, and such others as the Council may direct.

41. The rules of Parliamentary Practice comprised in Jefferson's Manuel, shall govern in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the Council, and the Joint Rules of the Council and House of Representatives.

JOINT RULES OF BOTH HOUSES.

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1. In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet and state to each other, verbally or in writing, as either shall choose, the reason of their respective Houses, for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Council to the House of Representatives, it shall be announced at the door of the House by the doorkeeper, and shall be respectfully communicated to the Chair, by the person with whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Council.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

5. After a bill shall have passed both Houses, it shall be duly enrolled by the clerk of House, or of the Council, as the bill may have originated in the one or the other House, before it shall be presented to the Governor.

6. When bills are enrolled, they shall be examined by a joint committee of two from the Council and two from the House of Representatives appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the engrossed bills as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to the House in which the bill originated.

7. After examination and report, each bill shall be signed in the respective Houses—first by the Speaker of the House of Representatives, then by the President of the Council.

8. After a bill shall have been thus signed in each house, it shall then be presented by the said committee to the Governor for his approbation, it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Secretary of the House in which the same did originate, and shall be entered on the Journal of each House; the said committee shall report the day of presentation to the Governor, which shall also be entered on the Journal of each House.

9. All orders, resolutions and votes which are to be presented to the Governor, for his approbation, shall also, in the same manner, be previously enrolled, examined and signed; and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

10. When a bill or resolution, which shall have been passed in one house, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

11. When a bill or resolution, which has been passed in one House, is rejected in the other, it is not to be brought in during the same session, without notice of five days and leave of two-thirds of that House in which it shall be renewed.

12. Each House shall transmit to the other, all papers on which any bill or resolution may be founded.

13. After each House shall have adhered to their disagreements, a bill or resolution is lost.

14. When bills which may have passed one House are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

REPORT
OF THE TERRITORIAL AGENT.

OFFICE OF THE TERRITORIAL AGENT,
Iowa City, Dec. 1st., 1842.

To the Honorable the Council
And House of Representatives:

In obedience to the law, I herewith submit my annual report as Territorial Agent.

On entering upon the discharge of my duties, I found the law of the last session relative to the sale of Iowa City lots, Approved February 17th, 1842, undefined, to some extent in its details, leaving much to the discretion of the Agent. In the exercise of that discretion, which in my judgment the law authorized, and the public interest required, I suspended the sales at private entry, and proclaimed a public sale to be held on the third day of May.

Individuals entertaining a different view of the law, demanded the right of private entry at a reduced minimum. None of whom were mechanics or laborers, and all except in one or two cases, desiring to pay scrip of the issue of 1841. These applications were indiscriminately rejected at this office, and the entire plat as it came into my hands offered at public sale. To have done otherwise would have rendered the law a nullity, and thereby defeated the object contemplated by the Legislature in its passage.

At the public sale 85 lots were sold, the minimum price of which was		$10,604 00
Amount of sale,		12,607 00
Advance upon the minimum,		2,003 00
Sales at private entry		10,264 00
Total amount of sales,		$22,871 00
Amount of notes received from Jesse Williams, late Territorial Agent,		$13,013 87
Sales of 1842,		22,871 00
		$35,884 87
Notes of 1839, '40 and '41 remaining in this office,	$2,384 36	
Notes remaining in the hands of Sringer and Carleton,	3,131 69	
Notes in the hands of F. H. Lee, including the docket of John Hawkins,	563 74	

Notes of the sales of 1842 remaining in this office,	6,362 87	
Disbursements of this office for the year 1842, ending 1st. inst.	23,768 02	
Scrip of the issue of 1841,	2,087 04	
Notes of the Miners' Bank of Dubuque and Shawneetown,	33 00	
		$38,330 72
Excess of disbursements over the receipts,		2,445 85
This excess consists of outstanding scrip of the the issue of 1842,	1,400 00	
Debts contracted by this office,	1,045 85	
The above estimate does not cover the entire liabilities of this office for the current year,		
The Agents salary with other incidental expenses, may be estimated at	1,000 00	
Total indebtedness for the present year, including outstanding scrip of 1842,		$3,445 85

Early in March last, the Superintendent called upon me to consult upon the practicability of commencing operations on the Capitol.

At that time I was much at a loss to know what course to advise, or adopt, to commence a work of such magnitude with the limited and doubtful means within my control, was a hazardous experiment; delay was equally hazardous to success. While the situation of the building and the importance of placing it under roof to prevent dilapidation and decay, appeared to be paramount to every minor consideration. I therefore resolved to make a united effort with the Superintendent, and to place at his disposal all the means within my control which could be made available.

On commencing the work without funds, I was under the necessity of contracting debts (in anticipation of collection,) for provisions, and other incidental expenses necessary in establishing a boarding house at the stone quarry situate ten miles up the Iowa River, at a point where boarding could not otherwise be had. The laborers made their engagements for lots and to await the public sales.

During the months of March and April a competent number of hands were employed to carry on every department of business, and at the sales in May they became purchasers of property. As a medium of exchange upon the lots, to facilitate the sales, and to carry on the work, I took the *delicate* responsibility of issuing scrip, based however, exclusively upon the unsold lots, made payable to the bearer, and receivable at this office for all sales made *after the first day of May* thereby avoiding the responsibility of either anticipating or creating cash debts. With this scrip I paid the hands for the months of March and April, before the commencement of the sales in May, which went into general circulation and left it discretionary with the holders whether to purchase lots or part with it to others who had purchased, or who might desire to purchase.

This scrip although convenient and useful in the purchase and payment of lots, would not pass with the Merchants for goods, neither would it be taken by the farmers for provisions. Under these embarrassing circumstances I was compelled to adopt the plan of keeping supplies on hand through a large portion of the season, and issuing them out to suit the daily wants of those employed in the various branches of business connected with the Capitol. The keeping of daily accounts necessarily followed and greatly increased the labors of my office, labors not anticipated, and unprovided for by law, but indispensible to the public service under the present embarrassed condition of the public building fund.

Early in the month of June last the Superintendent made a requisition upon me for a bill of Iron for the roof of the Capitol, amounting to about five thousand pounds together with a bill for twelve hundred lights crown glass. These constituted a heavy item which could not be purchased short of St. Louis, where nothing but specie, or its equivalent, would be taken in payment. To meet this contingency I sold out lot No. 11, and block No. 21, to Samuel Statler of Pennsylvania, who was at that time in this City, for a draft payable at Pittsburgh, for which I paid him a premium of twenty five per cent. This draft ($507,) constitutes more than one half of the actual cash handled by me through the season, and without which, those purchases could not, *with certainty*, have been made. I regret that it has been out of my power to pay the debt due the Miners Bank of Dubuque, the first note for $500, payable in the Missouri Bank at St. Louis, has been protested, and this office duly notified thereof. To avoid (if possible) a similar occurrence with the second note for $5,000 payable in New York, I opened a correspondence with the officers of the Bank, which influenced them to withhold the note for payment, or adjustment at the Bank at Dubuque. This note was executed on the 28th, June 1841, payable eighteen months after date, and will be due 28th, 31st instant, leaving time for some arrangement to save it from being dishonored. A copy of the correspondence is herewith submitted.

Out lot No. 10 has been reserved from sale on account of having been appropriated by the citizens of Iowa City and its vicinity to the use of a burial ground. On the 24th day of August a written application was filed for this lot by a portion of the citizens, a copy of which is submitted for the consideration and action of the Legislature.

The law defining the duties of Territorial Agent did not appear sufficiently clear to justify me in making settlements with the late Superintendent of Public Buildings who had acted as sole Commissioner in the sale of lots, and in the erection of the Capital, in 1839 and '40, and the late Territorial Agent who was his successor in 1841. These accounts remain unsettled; the late Commissioner claims a balance of about $600, which should be paid at the earliest convenience if found due.

All of which is respectfully submitted,

JNO. M. COLMAN,
Territorial Agent.

December 1st, 1842.

CORRESPONDENCE.

OFFICE OF THE TERRITORIAL AGENT,
Iowa City, August 31st, 1842.

To the Cashier,

DEAR SIR:—

I have just received a letter to the address of Jesse Williams, Esq., late Territorial Agent, from the Bank of Missouri at St. Louis, with a protest on his note as Territorial Agent for $500 payable to the Miners' Bank of Dubuque.

The failure to meet this payment has been unavoidable; the office came into my hands without funds, with numerous small debts outstanding from last year. Without any other resources than a remnant of old debts due the office from former sales many of which are not collectable, and all difficult to collect.

The repeal of the law authorizing the Agent to borrow money with the passage of an act requiring the city lots to be sold for work and materials for the further prosecution and completion of the Capitol, will place it out of my power to meet any part of the debt due to your Bank this season. The note for $5,000 payable in New York cannot be met at maturity, and the only mode which appears to me practicable is to renew the debts on further time. I shall visit Dubuque in the course of three or four weeks with a view to some arrangement in relation to the Territorial debt.

Very Respectfully,
Your Obedient Servant,
JNO. M. COLMAN,
Territorial Agent.

OFFICE OF TERRITORIAL AGENT,
Iowa City, Sept. 20th, 1842.

To the President and Directors
of the Miners' Bank of Dubuque.

GENTLEMEN:—This will be handed to you by the Hon. Francis Springer one of the Counsel for the Territory for the collection of debts, who will ex-

plain to you the situation of this office in relation to money matters. I wrote your Cashier some time since upon the subject of the debts due to your Bank, and informed him that it would be out of my power to meet those debts.

Mr. Springer will confer with you fully upon the subject, and will be the bearer of any reply you may feel disposed to make to the letter above recited.

Very Respectfully,
Your Obedient Servant,
JNO. M. COLMAN,
Territorial Agent.

MINERS' BANK,
Dubuque, Sept. 23, 1842.

Jno. M. Colman, Esq.,
Territorial Agent, Iowa City.

SIR:—I have received your several favors of the 1st, and 20th, insts., and regret exceedingly that you will not be able to meet the note due this Bank in New York city in December next.

I had in a great measure depended upon the prompt payment of that debt, in order to enable me to take in the small balance of circulation of our notes now out.

Mr. Springer has mentioned to me your wish that I should not forward the note to New York City, where it is payable, and to meet your wishes in that matter, I will retain the note in Bank.

There has been a deposit of $50 to your credit and any arrangements you may make for the payment in small or large amounts, of the notes, now due, and becoming due, will be satisfactory.

I have the honor to be,
Respectfully, your
Obedient Servant,
H, PEARSON, Cashier.

Application of the Citizens of Iowa City, for lot No. 10.

We, the undersigned, being desirous to pay becoming respect to the remains of our friends and relatives whose graves are situate on out lot No. 10, in Iowa City, do hereby apply to enter the said lot with a view to preserve and perpetuate, with becoming decency, the remains of those who have been buried on said lot.

Dated, August 20th, 1842.

Signed,
CHAUNCY SWAN, and others.

REPORT

OF THE SUPERINTENDENT OF PUBLIC BUILDINGS.

OFFICE OF SUPERINTENDENT OF PUBLIC BUILDINGS,
Iowa City, Dec. 1, 1843.

To the Honorable the Council,
and House of Representatives.

On obedience to law, I herewith submit my annual report, as Seperintendent of Public Buildings at Iowa City.

In entering upon the duties of my office, I received from my predecessor, tools used in the quarry and for the workmen on the building, also, a sett of blacksmith tools, some iron, and some steel. Likewise the window frames and sash for the two upper stories of the Capitol, a portion of the timber for the roof, which were partly framed, some oak flooring and some rough boards and other timber, on and about the building.

My first object was to consult the Territorial Agent, in relation to the means within his control, for carrying on the work. I examined the old quarry, and found that the means of the office, would not justify, even a commencement there. I lost no time in making the necessary examinations and succeeded in finding a fine bed of rock on the bank of the Iowa river, about 10 miles North East of the city, which presented a very promising appearance. Immediately, I set hands to work, to opening the quarry, and also, in preparing boats, for the transportation of the rock, and on the first day of April commenced stone-cutting at the Capitol.

On the commencement of the masonry, the walls of the Capitol presented a very singular appearance, varying in height, about seven feet, the East front being to the top of the upper windows, while a part of the west front, but a little above the lower part of the same tier of windows.

The East front has been carryed up from the lower part of the Antea-caps a heighth of eight feet, and a portion of the west front has been carried up fifteen feet. I succeeded in completing the South gable-end, but owing to the low stage of the river in the fall, it was impossible to transport rock down for the North gable-end; except at an increased expense, which would have been incompatible with the state of the funds in the hands of the Agent: I therefore enclosed it roughly with boards.

The whole number of cubic feet laid into the walls of the Capitol, since the first of last April, are, fifteen thousand, eight hundred, and eighty-three; of superficial feet of cut stone, four thousand, four hundred, and fifty-six, and of superficial feet in *moulded* cut stone, or Antea caps, four hundred and eight. The masonry of this part of the building has been the most expensive, it being nearly all solid, and the face of it all cut stone.

The roof is substantially framed, and braced with strong iron bars, and bolts, at every part where it was thought to be necessary, to add to its strength and duribility. It is covered with Allegheny pine shingles, which were purchased at Cincinnati. The roofs of the Porticos are formed, and extended to the fronts of the building, in a situation to be joined to, with convenience, when the Porticos are ready for covering. The cornices are in an unfinished state. The Cupola is completed to its first contraction, or diminish, and temporarily covered.

Four rooms have been prepared, and every arrangement made for the accommodation and comfort of the Legislature in the new edifices, that has been in my power to make, and I mainly attribute the consummation of the favorable result, to the *untiring energy* and *skilfull management* of the Territorial Agent *in the financial department.*

The law defining the duties of Superintendent of Public Buildings, requiring him to keep an account of expenditures, has been to some extent superceded by the act of last session, which requires the Territorial Agent to sell lots for work, and materials on the Capitol. I therefore refer your honorable body, to the report of the Territorial Agent for an exhibit of the expenditures on the Capitol for the present year.

All of which is most respectfully submitted.

W. B. SNYDER,
Superintendent Public Buildings, at Iowa City.

Iowa City, Dec. 1, 1842.

REPORT

OF THE DIRECTOR OF IOWA PENITENTIARY.

To the Honorable the Legislative Assembly of the Territory of Iowa:

The undersigned Director of the Penitentiary of Iowa, in compliance with the fifth section of the act of the Legislature of Iowa, "entitled an act to provide for the erection of a Penitentiary and establishing and regulating Prison Discipline for the same," respectfully reports:

That since the date of the last report made by the undersigned to the Legislative Assembly, there has been but little done towards the completion of the Penitentiary, the floors have been laid in the part contemplated to be occupied by the Warden, and part of the windows put in, and is now occupied by the Warden and his family.

The whole amount of demands against the Penitentiary, including the pay of officers, guard, clothing and maintaining the convicts, amounts to the sum of eighteen thousand three hundred and thirty-three dollars and thirty-

three cents, of this amount the sum of fourteen thousand nine hundred and seventy-two dollars, (being for work done to the Penitentiary) is expected to be paid from the appropriation made at the last session of Congress, which will leave a balance against the Penitentiary of three thousand three hundred and sixty-one dollars and thirty-three cents (being for the pay of officers and support of convicts) from the time when convicts were first received to the present time for the payment of which amount I would respectfully and earnestly urge the Legislative Assembly to provide for as soon as may be practicable.

The expenditures of the past year including pay of officers, guard, clothing and maintainance of the convicts (will be seen by the report of the Warden, which is hereunto annexed, and to which I invite the attention of the Legislative Assembly) to have been nineteen hundred and forty-nine dollars and sixty-five cents, and the earnings of the convicts amounting to thirteen hundred and twenty dollars and seventy-six cents, leaves a balance against the prison for the present year of six hundred and twenty eight dollars and eighty-nine cents. There is now on hand in manufactured articles and materials made by the convicts to the amount of one hundred and thirty-three dollars and ninety-one cents.

During the past year six convicts have been received, four have been regularly discharged by their time of sentence having expired—one has been pardoned by the Governor, and one taken out by writ of habeas corpus —two have escaped, and four are now in confinement.

It has hitherto been found extremely difficult to make the labor of the convicts productive, as most of them when received, are unacquainted with mechanical employments and considerable time must necessarily elapse in such cases before they can be advantageously employed, and when the term of imprisonment of such convicts is short, but little can be realized from their labor—the Warden has hitherto labored under very great and serious disadvantages in purchasing the necessary materials, clothing, &c., being obliged to purchase them from the proceeds of the labor of the convicts by barter and otherwise—he has heretofore boarded the convicts and when there are but few as at present, it is perhaps a matter of economy that he should do so, but should the number of convicts be much increased by having funds in his hands, he would be enabled to purchase clothing, provisions, &c., on much more advantageous terms and make the convicts prepare their own food.

The undersigned would therefore recommend to the Legislative Assembly, that a sufficient sum be placed at the disposal of the Warden to enable him to purchase a sufficient clothing of a distinctive character and for laying in materials for the use of consumption and manufacture of the prison.

The undersigned would also respectfully urge upon the Legislative Assembly, the pressing necessity of raising the outer walls of the Penitentiary around the cells to a heighth corresponding with that part of the prison, occupied by the Warden, and also of putting on a suitable roof. An estimate has been made by the Superintendent of the expense thereof, who has taken into consideration the amount of materials on hand and according to

his estimate with which the undersigned concurs, it will cost the sum of fifteen hundred dollars. The necessary stone is now on hand and a part thereof cut—the erection of this wall will enable the Warden to so arrange the convicts, that they can be employed much more advantageously than at present, and would preclude from them almost all chance of escape.

In compliance with the eleventh section of the act above mentioned, the undersigned reports, that the following rules and regulations for the government of the Penitentiary, have been adopted by him:

1st. No visiter is allowed to speak to any of the prisoners without permission of the Warden.

2d. No person is allowed to use or take away the tools or other property belonging to the Penitentiary.

3d. The Convicts must be so arranged when at work that the Guards can see them all.

4th. The chain of each convict must be examined at least twice every day.

5th. The Guards must talk no more with the convicts than is necessary to carry on their work.

6th. The Guard on watch must never leave until he is relieved by another Guard.

7th. The Guards will not be permitted to punish the convicts without the Warden's directions.

8th. The convicts must submit to all orders from the Warden and Guards.

9th. The convicts will not be permitted to talk only when it may be necessary to carry on the business in which they are engaged.

10th. The convicts will not be permitted to speak to any person except the Guard, without the Wardens permission.

All of which is respectfully submitted.

JOHN CLAYPOOLE,
Director of Iowa Penitentiary.

Fort Madison, Dec. 4th, 1842.

REPORT

OF THE WARDEN OF THE IOWA PENITENTIARY.

To John Claypoole, Esq., Director of the Iowa Penitentiary:

SIR:—

Having been appointed Warden in place of William Anderson deceased, I, in obedience to the second section of an act amendatory to an act

to provide for the erection of the Penitentiary and regulate its management herewith transmit the annual report.

On entering upon the discharge of my duties as successor to Mr. Anderson on the 26th of August last, I found the expenditures since the last report up to the 24th of that month, including Warden's pay, boarding, pay of guards, pay of Master workmen, clothing of Convicts, purchase of materials, &c., [See Schedule A. herewith transmitted] to have been fourteen hundred and ninety-five dollars and eighty-six cents. And the amount of manufactured articles sold and unsold together with materials and other property accumulated within the year, [See Schedule B.] to amount to nine hundred and forty-four dollars and thirty-seven cents, leaving a balance due against the prison up to that time of five hundred and fifty-one dollars and forty-nine cents.

From the 24th of August up to December 1st., the expenditures have been [See Schedule D.] four hundred and fifty three dollars and seventy nine cents, and manufactured articles sold, and amount received for labor of convicts, [See Schedule E.] three hundred and seventy six dollars and thirty nine cents, leaving a balance due against the prison for that time of seventy seven dollars and forty cents.

RECAPITULATION.

It will be seen that the expenditures for the year from December 1, A. D. 1841, to December 1, A. D., 1842, inclusive amount to nineteen hundred and forty nine dollars and sixty five cents; and the income or actual earnings of the prison to amount to thirteen hundred and twenty dollars and seventy six cents, leaving a balance for the current year against the prison of six hundred and twenty eight dollars and eighty nine cents.

It will also be seen by reference to [Schedule F.] that there is in addition to the property intended for the use of the prison, now on hand to be turned over to new account in materials and manufactured articles, one hundred and thirty three dollars and ninety one cents.

During the year ending December 1st., there has been received into the prison, six convicts and during the same period, four have been regularly discharged, one pardoned by the Governor, one taken out by writ of habeas corpus and two escaped.

Permit me sir, in addition to the requirements of the law, in concluding this report, to present a statement of the situation of the prison; and make a few suggestions for improvements, which the inconvenience of its unfinished state, and embarrassed condition of its affairs have since my charge pressed most forcibly upon my mind; and which I deem indispensable to the safe keeping of the convicts, as well as to the profit, and economy of the institution.

It is known to you that the coopers and blacksmith's shop, are necessarily in the one room, and that this room together with the guard-room occupy the space between the unfinished end of the cells, and the planned or unfinished end of the building, including a space of some twenty feet square. A place so illy provided with light, and so illy adapted for the purpose, that in

working the coopers and blacksmith we now have, they necessarily hinder or impede materially the work of each other. In fact, so confined is the space appropriated to the coopers, that with all the energy, I have been able to infuse, by personal attendance in clearing up and directing their operations, it has not unfrequently happened, that one has been compelled to wait the motion of another, and that with the best management, a constant and unavoidable loss is sustained. With this knowledge I think I may safely assume that with the addition even of an inconsiderable number without an enlargement of the building, or that for want of proper room and proper arrangement, from one-fourth to one-third of the actual labor of the convicts must be lost.

Aside from the inconvenience of this crowded state of the prison, or loss by check in the progress of the work, the guard is compelled for the purpose of enforcing discipline to be among them, and in such immediate contiguity as to be always within reach of their implements, and in such a situation that before any well directed defence could be made, they might easily overpower him and escape. I may here add, too, that the unsafe condition of the unfinished or east end of the building calls for the earliest attention. Although it is well planked up, still the building is so remote from any secondary aid, that the officers must rely upon their own resources for defence against any raise of the convicts: and in the absence of the Warden, the guard is alone left with this frail fabric as a barrier against their escape, which with the tools within reach by a few minutes labor, they might easily remove.

It is known to you that no provision has been made for either sash or glass to any portion of the building, and that the straightened circumstances of the prison has prevented the Warden from procuring any, that that portion enclosing the cells is like all others, open and exposed to the storm. The consequence has been that during the late inclement weather the cells as well as the work-shop and whole interior, have been covered with snow, and no room where the convicts could warm or be warmed, but in this open barrack.

The embarrassments I have labored under, in procuring supplies since I have had charge of the prison induces me to call your attention particularly to the state of its finances. It is known to you that the scrip issued by the Superintendent from the tardiness with which it has been redeemed, has fallen very considerably below par; and that now it is with extreme difficulty, any purchase can be made even at a very losing discount; it will be then with great difficulty hereafter, that the Warden will be able to meet the daily demands upon him, and keep the prison in supplies.

I would also call your attention to the article of clothing for the convicts. Heretofore the Warden without money or credit at his disposal, has been compelled to make his purchases in small parcels, at different times and places as the amount of funds, or the fortune of trade should dictate. The consequence is that there has been no uniformity in quality or distinction of appearance in their clothing.

Having now taken a cursory view of the state of the prison and alluded

to some of the causes to which in a great measure may be attributed the formidable balance which appears annually against the prison. I will take the liberty to make such suggestions as seem to me to be necessary to obviate the evils complained of.

I would recommend in the first place, as indispensable that the outer wall of the main building be carried up throughout its whole extent to the same heighth as the keeper's house, say fourteen feet and covered with a suitable roof, and be arranged into work shops. With this addition and the present number of finished cells fifteen or twenty additional convicts can be securely and profitably worked as well as safely and comfortably lodged.

I would also recommend as equally indispensable that a sufficient sum be placed at the disposal of the Warden, for the purchase of a sufficient quantity of Penitentiary Clothing, such as would be so marked in appearance as to be readily recognized, and place the convict beyond the possibility of escape. The Warden should also, on the score of economy in addition to the amount placed in his hands for the purchase of clothing be provided with a sufficient sum for laying in materials for the use, consumption and manufacture of the prison.

In conclusion, allow me to express my conviction derived from a three months management of its affairs, that if such alterations be made and such provisions granted as are here advised, the prison, instead of being a very considerable tax, can be made a source of revenue to the Territory.

All of which is most respectfully submitted.

Yours, &c.

EDWIN GUTHRIE,
Warden of the Iowa Penitentiary.

Fort Madison, Dec. 1st. A. D., 1842.

[A]

Iowa Prison, in account with Wm. Anderson & others,
From Dec. 1, 1841, up to August 24, 1842. DR.

To amount of	Wm. Anderson's account,	$1,026	39
"	Mr. Snapp, "	2	00
"	Wm. McLoughlin's "	12	00
"	John McLoughlin's "	4	00
"	John Bardold "	4	50
"	Joseph Balls "	140	00
"	Sam'l C. Bassett "	20	25
"	A. W. Nove, "	48	00
"	Jos. McReynold's "	28	00

"	Luke Alphine,	"	156 77	
"	Peter Miller	"	11 45	
"	William Brooks	"	32 50	
"	Dr. Jno. Claypole	"	10 00	
				$1,495 86

Cr.	By amount of sales,	$730 69	
	" Materials on hand	87 18¾	
	" Articles on hand and unsold	101 37½	
	" Tools and other articles accumulated for the use of the Prison since Dec. 1, 1841	25 12½	
			$944 37½

1841 Iowa Prison, To Wm. Anderson Dr.

Dec. 2,	To amount paid Woolfork for whetstone	50
	stuff at Albrights to make pants for Hyde	2 00
	iron at Albrights	13 00
1842		
Jan. 2,	Dilliplom	13
5,	Dutchman for coal	2 50
7,	J. Hill for hoop poles	2 00
	Parks for coal	50
14,	Handsaw for coopers	2 00
	Dutchman on coal	6 00
	McAlleay for poles	50
22,	A. Scott for hauling hoop poles	25
Feb. 2,	Borax 1 lb.	50
	Matches	25
6,	Joseph for hoop poles	25
	Making one pair of pants	62½
	Three chairs at $1 12½	3 37½
	Parks for coal	2 00
21,	Stewart and Brown for Blank book	1 50
	Aquafortis	18¾
	H. Doyley for use of boat	2 88
March	Stewart and Brown for grindstone	1 75
	Stewart and Brown for cast steel	1 62½
19,	Cutter back for one days hauling	2 00
	Albrights for 15 lc rod iron	2 40
	Albrights for 114 lbs. horse shoe iron	12 34
25,	Making 10 shirts	5 00
29,	Hogs lard	25
	Boarding Joseph Ball 16 weeks	32 00
April 1,	Mending Balls watch	37½
7,	Albrights for moleskin and thread	9 19
	Boarding Geo. Vanbuskirk 12½ weeks	25 00

16,	Man for stone coal	3 00
18,	Blank books	50
19,	Making 7 pair pants	3 50
	Lees for shoes	10 50
23,	Ford for hauling &c	8 47
25,	Boarding Joseph Dillen 3½ weeks	7 00
30,	Deming for odds in shoes	50
May 11,	Powder and box of caps	75
17,	Steel caps and quills	1 50
18,	Jug of Beef's foot oil	1 50
June 3,	Shaving soap and caps at McConn's	31¼
July 11,	Powder at McConn's	50
	Boarding McReynolds from April 18, to June 14,	16 00
26,	Matches, caps and shaving soap,	56¼
	Boarding the following named convicts to wit:	
	James McCubbin from Dec. 1, 1841, to Aug. 24, 1843, 38 weeks and 1 day	76 38
	Ephraim Catterton, from Dec. 1, 1841, to May 26, 1842, 25 weeks and 2 days	50 57
	Thomas Kenner from Dec. 1, 1841, to Aug. 24, 1842, 38 weeks and 1 day	76 38
	Washington Hyde from Dec. 16, 1841, to Aug. 24, 1842, 36 weeks and 6 days	72 72
	James Meridith from Dec. 1, 1841, to March 10, 1842 14 weeks and 2 days	28 57
	Henry Wright from April 7, to Aug. 24, 1842, 19 weeks and 6 days	38 72
	John Benson from May 7, to Aug. 24, 1842. 15 weeks and 4 days	31 14
	Boarding Luke Alphhin from Dec. 1, 1842, to Aug. 24, 1842, 38 weeks and 1 day	76 38
	Services as warden from Dec. 1, 1841, to Aug. 24, 1842, 8 months and 26 days	368 49
	Boarding Brown 4 weeks and 2 days	8 66
		$1,026 39

Wm. Anderson To the Iowa Prison, Dr.

1841 & 1842. To amount of sales, see Penitentairy day book $730 69

Iowa Prison in account with Luke Alphin & others from Dec. 1, 1841, up to Aug. 24, 1842. Dr.

To Luke Alphine for services as guard from Dec. 1, 1841, to Aug. 24, 1842, 8 months and 24 days at $20 per month $156 77

To Joseph Ball for services as master cooper four months at $35 per month 140 00

To Joseph McReynolds as guard from April 18 to June 14, at $15 28 00

To Wm. Brooks for services as blacksmith from June 7, to July 9, 26 days, at $1 25 per day 32 50

Anderson	$ 75
	23 75
To Mr. Snapp for hoop poles	2 00
To Wm. McLoughlin for hoop poles	12 00
To John McLoughlin for hoop poles	4 40
To John Bordold for coal	4 50
To samuel C. Bassett for staves	20 25
To A. W. Nove for coal	48 00
To Peter Miller for merchandize	11 00
To Doctor John Claypoole for medical services	10 00

[B]

INVENTORY OF PROPERTY

Belonging to the Iowa Penitentiary in charge of the Warden and turned over to Edwin Guthrie on the 26th of August 1842.

ARTICLES INTENDED FOR THE USE OF THE PRISON.

Six chains and bolts,
One full sett of Blacksmith's tools,
Two full setts of Coopers' tools,
Three wheel barrows,
Three shovels,
One mattock,
Three hoes,
Three stoves,
Four axes.

ARTICLES ACCUMULATED WITHIN THE YEAR.

Two pistols,	10 00
Three Chairs	3 37½
Three blank books	2 00
One grindstone,	1 75
One hand saw,	2 00
Two fire shovels	2 00
Two iron wedges,	2 00
One axe,	2 00
	$25 12½

ARTICLES INTENDED FOR SALE.

Eleven pickling tubs at 75c	8 25
Eleven lard kegs at 50c	5 50
Forty-three pork barrels at 1 00,	43 00

Thirty-seven pork barrels set up	23 12½
Thirty-eight kegs set up	11 25
Seven wash tubs set up	3 50
Ten buckets set up	3 75
Six churns set up	3 00
	101 37½

MATERIALS ON HAND.

Two thousand hoop poles	12 00
Nineteen hundred and sixty-six pork barrel staves	25 55
Five hundred and nineteen heading	4 13
Two hundred flour barrel staves	2 00
Eleven hundred and sixty-five keg staves	7 50
One lot of oak timber	2 00
One hundred and fifty pounds of iron	10 00
Three hundred bushels of coal	24 00
	$87 18
Sales made and accounted for since Dec. 1, 1842,	$30 69

[D]

Iowa Prison, in account with Edwin Guthrie and others,
From Aug. 24th, to Dec. 1st., 1842. DR.

To amount of Edwin Guthrie's account,		359 23	
"	Mrs. Anderson, "	25 72	
"	Luke Allphin, "	47 72	
"	Charles Jewett, "	16 12½	
			$453 79
CR. By amount of sales,		$268 89	
"	Materials on hand	42 50	
"	Manufactured articles on hand,	10 50	
"	Tools and other articles accumu-		
"	lated for the use of the prison		
"	since Aug. 24,	32 50	
"	Labor done on Penitentiary	4 50	
"	Labor in repairs on keeper's house	17 50	
			$376 39

1842 Iowa Prison, to Edwin Guthrie DR.

To services as Warden from August 26, to Dec. 1, 1842, 3 months
Boarding the following named convicts to wit:
Thomas Kenner from Sept 11, to Dec 1, 1842, 11

weeks and 3 days	22 86
Henry Wright from Sept. 11, to Nov. 5, 1842, 7 weeks and 6 days	15 71
James McCabbin from Sept. 11, to Nov. 5, 1842, 7 weeks and 6 days	15 71
John Benson from Sept. 11, to Oct. 27th, 1842, 6 6 weeks and 4 days	13 12
Dorcas Gibbs from Oct. 14th, to Dec. 1, 1842, 6 weeks and 5 days	13 43
William Printer from Oct. 14, to Dec. 1, 1842, 6 weeks and 5 days	13 43
Jacob Clemants from Oct. 14 to Dec. 1, 1842, 6 weeks and 5 days	13 43
Boarding Luke Allphin from Oct. 11, to Nov. 5, 1842,	15 72
Boarding Charles Jewett from Nov. 5, to Dec. 1, 1842, 3 weeks and 4 days	7 13
	$2,269 90

Iowa Prison, to Luke Allphin Dr.

To Services as guard from August 24th, to Nov. 5th, 1842, 2 months and 12 days	47 72

Iowa Prison, to Charles Jewett Dr.

To Services as Guard from Nov. 5, to Dec. 1, 1842, 25 days	16 12

Iowa Prison, to Mrs. Anderson Dr.

To Boarding the following named convicts to wit: James McCabbin, Washington Hyde, Thomas Kenner, Henry Wright and John Benson from Aug. 24th, to Sept. 11, 1842, 2 weeks and 4 days to 12 weeks 6 days	25 72
Boarding Luke Allphin 2 weeks and 4 days	5 16
	$30 88

[E]

1842	To the Iowa Prison	Dr.
Aug. 28,	To amount of A. W. Nove's acc't.	1 75
Sept. 3	" Bucket to McHenry	1 50
"	" Coopering pr I. Sawyer	44
"	" Shoeing pr McAlleny	1 25
"	" One keg per self	75
7	" Labor per convicts	1 00
"	" Coopering per Sawyer	88

	4 kegs per Hales	2	00
	Wash tub per Hughes	1	00
8,	Labor of convicts two days	1	00
	Soap barrel per self	1	00
	Setting shoes per Hale		25
	Do. do. per McAlleny		25
	Cash received for smithing		25
	For Flour bbls. pr Albright	1	40
	Setting shoe pr Mr. Rank		12½
	Two kegs per A. W. Knoe	1	00
	Smithing pr McAlleny		37½
9,	Smithing and flour barrels pr Albright	2	92
11,	Amount rec'd for smithing	1	00
	Barrel & Shoeing Horse per J. H. Lines	3	00
13,	Pickle Barrel		75
	Water Bucket pr Dilleplain		37½
14,	Flour Barrel pr Bird		37½
15,	Pickle bbl. & coopering for J. Waters	1	12½
17,	Labor pr Convicts		25
	Amount received of John Waters for barrel		75
	Coopering pr Albright		18¾
20,	Amount rec'd. for sharpening plough		25
	10 Flour Barrels per Albright	3	50
	Shoeing pr Thomas Mornson		62½
23,	Wash Tub pr Keyser		75
	8 Flour barrels per Albright	2	80
26,	Smithing pr McAlleny		25
	Shoeing pr Hews		50
	Cash received for Smithing		20
29,	Labor of convicts	1	50
	Smithing pr Hale	2	12½
	Pork Barrel	1	00
31,	10 Flour Barrels pr Albrights	3	50
	1 keg pr J. Knapp		50
	Cooperage pr McCallister	1	00
Oct. 1,	Crout Barrel pr Mrs. Anderson		75
3,	Smithing pr Hews		50
	Shoeing pr Waters	1	93¾
	10 Flour barrels pr Albright	3	50
4,	Pork barrel pr self	1	00
	Blacksmithing pr Sawyer	2	50
	Smithing pr Henderson	1	50
	Smithing pr Thorsten		12½
6,	Labor pr convicts		25
10,	Pork barrel pr Bird	1	00
12,	Smithing per Sawyer		75
	9 Flour Barrels pr Albright	3	15

	13,	Smithing pr Henderson	1 50
	14,	Labor of convicts	1 50
		Smithing pr Henderson	37½
		Pork barrels pr Foyhe	2 00
	15,	Cooperage pr Mrs. Anderson	5 00
	16,	Work on Plough and cooperage	5 00
		5 Flour barrels to Reeves	1 87½
		Bbl. pr Huff & tub pr Dilleplon	2 25
		Smithing pr Henderson	1 00
	20,	Flour barrels per Fitzpatrick,	3 15
		Smithing per Thomas Hale,	1 25
		Smithing per Sawyer,	31¼
		Smithing per J. Webster,	1 75
		Smithing per S. Keyser,	50
		Coopering per J. Cutler,	2 25
	22,	Smithing per Gannon,	87½
	23,	Smithing per J. Carl,	2 87½
	24,	Cash received for smithing,	25
		One pork barrel and hands to kill beef,	2 00
	26,	Coopering per Dilleplain,	50
		Coopering per Rev. Clark,	1 00
		Smithing per J. H. Lines,	50
		Labor of convicts on road,	3 37½
		Cash rec'd for horse shoeing,	31¼
	27,	8 flour barrels per Albrights	2 80
		Crout barrel per Waters	1 00
		Cooperage per McCrady	1 75
		Labor of convicts per self and Lines	2 37½
	28,	Labor of convicts per H. Eno,	1 50
	29,	Two iron wedges per Fitzpatrick,	2 00
Nov.	1,	10 flour barrels B. Albright,	3 50
		Cooperage and smithing,	2 25
		4 pork barrels per Marsh	4 00
	2,	9 flour barrels per Fitzpatrick,	3 50
		Labour of convicts 7 days,	3 50
	3,	Shoeing per Alley	25
	4,	9 flour barrels per Albright,	3 15
		One butter tub for Webster,	1 00
	5,	Cooperage on well bucket per S. S. White,	1 00
	7,	9 flour barrels per Reives,	3 15
		Swill bucket per Rev. Clark,	75
	8,	10 flour barrels per Albright	3 50
	9,	1 crout barrel per Sawyer,	1 00
	10,	1 crout barrel per Taylor,	1 00
	12,	15 flour barrels per Albrights	5 25
	14,	Labor of convicts in getting wood	2 00
		Well bucket per Wm. Wilson,	1 50

16,	1 large basket,	1 00
18,	40 flour barrels per Albright,	14 00
21,	1 axe per Etchison,	2 00
23,	Smithing per Wm. Knapp,	2 50
25,	Smithing on whippletree per J. Wilson,	37½
26,	Well bucket per Mr. Evans	1 50
	Pork barrel per Thorston,	1 25
27,	2 pork barrels per Wm. Wilson	2 50
	Shoeing per Lines	1 50
28,	Shoeing per Etchison	37½
	Shoeing per Sawyer,	1 50
	Coopering per Henderson	62½
	Coopering per John Carl	50
	24 pork barrels to McConn	27 00
29,	Cooperage per Wm. Knapp,	50
	Flour barrel per Bird,	37½
	Smithing per Mr. Lewis	1 81¼
	Smithing per Isaac Johnson	25
30,	Smithing per Cutler,	1 00
	Smithing per H. W. Hughes	75
	Smithing per John Waters,	75
	Cooperage per Webster,	4 50
	Smithing per H. W. Hughes	1 50
	Seven lard kegs to self 50c	5 50
	Eleven pork barrels 1 00	11 00
	Thirty-seven barrels 4 hoops 62½ Thirty-eight lard kegs 4 hoops 33	11 54
	Six wash tubs 50c	3 00
	Seven buckets	2 62
	Six churns 50c	3 00
	Two iron wedges,	2 00
	10 flour barrels,	3 50
	One mattock,	1 50
	One cask,	1 50
	Four baskets	3 00
		$268 48

Received payment for the Territory, by reducing two certificates making the above amount.

A. LADD,
Superintendent of the Penitentiary.

December 1, 1842.

[F]

INVENTORY OF PROPERTY

Belonging to the Iowa Penitentiary in charge of the Warden, Dec. 1, A. D., 1842.

Six Balls and Chains	
One full set of Blacksmith's tools	
Two full sets of Cooper's tools	
Three Wheel Barrows	
Three Shovels	
One Mattock	
Three Hoes	
Three Stoves	
Four Axes	
Three Chairs	
Three Blank Books	
Two Pistols	
One hand Saw	
Two Fire Shovels	
One well Bucket	
Two large boiling Kettles	
Thirty-Seven Pork barrels set up	23 12½
Two hundred Hooppoles	1 50
Nineteen hundred and sixty dressed Pork barrel staves	25 47
Two hundred dressed flour barrel staves	2 00
Eleven hundred and sixty five keg staves	7 50
One lot of stave timber	2 00
On lot of Basket timber	3 00
Seventy pounds of Iron	4 90
Two Hundred bushels of coal	16 00
Five thousand and fifty undressed staves	42 50
Eight hundred dressed heading	7 50

LIBRARIAN'S REPORT.

LIBRARIAN'S OFFICE,
Iowa City, Dec. 13, 1842.

To the Honorable the Legislative Assembly,

GENTLEMEN:—Agreeably to the provisions of the law imposing on me that duty, I herewith submit to you the annual report of this office.

I urged in my last report, the importance of extending the Library; any action on the part of the Legislature, was at that time, regarded as being unnecessary; but from a somewhat flattering hope, that the importance of this matter may meet with a more propitious reception in the minds of the present Legislature, I offer the following suggestions.

The Library is greatly defective, by reason of many valuable Elementary Law works having been left out of the catalogue of books purchased, also many scientific and literary works, together with the back numbers of the Law Reports, Reviews, and Statistical works. The Revised Statutes of the States is left out.

I regard the whole people of this Territory, as being interested in having an ample and well selected Library, in orper that their Representatives may extract materials, that will the better enable them to design and promulgate such laws, as will when put into actual service, not only enhance their pecuniary interests, but greatly administer to their social happiness.

Such suggestions are doubtless unnecessary, inasmuch as they are made to persons who are capable of judging more wisely and more thoroughly than myself, of the infinite value of extensive collections of the combined labors, of the wise and the learned, of all ages and nations.

I am with high respect
Your ob't serv't,
M. RENO,
Librarian.

TREASURER'S REPORT

TREASURER'S OFFICE, IOWA CITY,
Dec. 19, 1842.

To the Honorable the Legislative Council:

GENTLEMEN:—

In obedience to your Resolution, calling upon the Treasurer to inform the Council whether the money accruing to this Territory, under act of Congress, 4th Sept., 1841, entitled "An act to appropriate the proceeds of the sales of the public lands, &c., has been received.

I have the honor in reply, to state that it has not been received, but that I have been notified by the Secretary of the Treasury Department, through his Excellency the Governor of the Territory, that the accounting officers have adjusted the accounts of the several States and Territories, under the above act, and that the sum of $1,508 three-one hundredths, has been found due the Territory of Iowa, and that it will be duly paid on the application of the authorized Agent of the Territory. The evidence of my authority to draw the money has been transmitted to the Secretary of the Treasury, together with an application for a draft upon one of the land offices in this Territory for the amount accruing. I have not as yet received an answer from the Secretary of the Treasury.

I have the honor to be,
Respectfully your ob't. serv't.,
M. RENO, Treasurer.

REPORT

OF THE SUPERINTENDENT OF PUBLIC BUILDINGS,

Made in compliance with a resolution of the Legislative Council, requesting him to furnish a detailed estimate of the amount necessary to complete the Capitol.

OFFICE SUPERINTENDENT PUBLIC BUILDINGS,
IOWA CITY, Jan. 16, 1843.

Honorable J. D. ELBERT,
President of the Council,

SIR—In obedience to a resolution of the Council of the 2d inst., "that the

Superintendent of Public Buildings at Iowa City, be requested to furnish the Council with a detailed estimate of the amount necessary to complete the Capitol," I herewith submit the following estimates. I will state however, that the estimates are made in conformity to the means in the hands of the Territorial agent to operate with, viz:—Iowa City lots. The same amount of work would be done for one third less, and perhaps for one half, if the means to operate with were money. No matter how low the prices of lots are reduced, laboring men *will not* work as cheap for property as they will for cash. I have been convinced of this fact from the operation of last season.

BASEMENT STORY.

16 Windows in basement	a $26 00	$416 00	
10 inside doors in do	a 14 00	140 00	
2 outside doors in do	a 50 00	100 00	
8 mantles in do	a 12 00	96 00	
Base in do	a	173 00	
Floor including joist		564 00	
Stairs in this story		95 00	
Lumber for do		690 00	
Glass and hardware		154 00	
Plastering in basement		755 00	
Painting		251 00	
			$3,434 00

FIRST STORY ABOVE BASEMENT.

22 Windows with inside shutters according to the original plan $61 00	$1,342 00	
Remainder of the floor in this story	91 00	
Base	235 00	
Remainder of doors including pilasters, &c.,	340 00	
2 Front doors a $75 00	150 00	
2 large arches in hall 150 00	300 00	
2 small do do 25 00	50 00	
Lumber for this story	300 00	
Hardware	206 00	
Plastering	500 00	
Painting	575 00	
		$4,089 00

SECOND, OR UPPER STORY.

24 windows with inside shutters a $61 00	$1,464 00	
62 sq'r. floor a 6 50	403 00	
Base	144 00	
6 doors a 55 00	330 09	
2 arches a 150 00	300 00	
2 galleries a 510 00	1,020 00	
Lumber for this story	660 00	

Hardware	175 00	
Plastering	990 00	
Painting	400 00	
		$5,826 00

STAIRS.

Extending from the first main floor to the balustrade on Cupalo, a hight of 65 feet	$2,795 00	
Lumber for stairs	200 00	
Painting	100 00	
		$3,095 00

This is an estimate for a geometrical stairs with steps six and a half feet long, and a continued rail on each side from bottom to the diminish of the Cupalo.

NORTH GABLE END.

Cutting stone for gable end	$300 00	
Masonry	230 00	
Chimnies for north and south ends	200 30	
Quarrying and boating rock	550 00	
		$1,280 00

CORNICE ON BUILDING AND PORTICOS.

4434 feet of Cornice a 50 cents	$2,217 00	
Lumber for do	240 00	
Painting cornice		$3,057 00

PORTICOS.

Quarrying and boating rock for both porticos	$2,904 00	
Stone steps for do	1,236 00	
Buttresses do	440 00	
Flagging do	558 00	
Laying steps, buttresses and flagging	286 00	
8 stone columns	6,944 00	
8 stone caps for do	400 00	
Stone architrave	1,444 00	
Roof and materials for do	150 00	
		$14,362 00

CUPALO.

I have not been able to make an accurate estimate for the cupalo, on account of there being no plan for the cupalo (nor for any thing else) in the Superintendent's office when I received it, and having enough to attend to

through the season, I did not draw one. This report will not admit of delay, to give me sufficient time to draw a plan. But I presume the cupalo will not vary much from $4,000 00

Place this amount, ($4,000 00) with the former, and the whole amount will be $39,143 00

All of which is most respectfully submitted,

W. B. SNYDER,
Superintendent of Public Buildings at Iowa City.

REPORT

OF THE COMMITTEE ON THE JUDICIARY.

The Committee on the Judiciary to whom was referred a bill "to legalize the acts of George Duden, a Justice of the Peace," and also a "bill to legalize the acts of Jacob Mintum, a Justice of the Peace," with instructions to enquire into the "legality" of the passage of such acts, have had the same under consideration, and respectfully report that in their opinion there would be nothing "illegal" in the passage of the bills in question.

The Legislative power of the Territory extends to all rightful subjects of legislation. The committee believe the bills under consideration to be rightful subject of legislation, containing nothing inconsistent with the principles of natural justice. Nothing repugnant either to the organic law of the Territory, or to the constitution of the United States.

It is true the bills, should they become laws, would be retrospective in their operation, a class of acts which as a general thing, should not be encouraged. They could not, however, be considered either as *ex post facto* laws, or as laws "impairing the obligation of contracts." What they seek to accomplish is the removal of all doubt as to the legality of the appointment of a Justice of the Peace (to fill a vacancy) by the trustees of a township. They do not seek to sanction an authorized assumption of power on the part of the magistrate—they only declare that the acts of the justice performed in a legal and proper manner, and belonging to his jurisdiction, shall be as valid as if he had been elected by the votes of the township at an annual township election—in other words the bills have the effect to declare that Justices of the Peace in counties divided into organized townships, are township officers, and as such it is competent to the trustees to fill vacancies by appointment—a construction which the committee believe may fairly be put upon existing laws in relation to the subject.

The Committee therefore report the bills back to the Council and recommend their passage.

REPORT

On the subject repealing the charter of the Miners' Bank of Dubuque, made to the Council on the 16th day of February, 1843, by MR. SPRINGER, *Chairman of the Committee on the Judiciary.*

The Committee on the Judiciary, to whom was referred "a bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for winding up the affairs of the same;" together with sundry petitions and remonstrances in relation thereto, have had the same under consideration and respectfully submit the following report:

The bill referred to the committee assumes the right in the Legislative Assembly, upon its own motion, and either upon facts which itself finds, upon a strictly legislative hearing, or which it presumes to exist, to pass a law declaring the charter of the Miners' Bank of Dubuque null and void, so far as the privilege of loaning money, discounting paper, or doing any other banking business, is concerned; or in other words, it assumes the right in the Legislature to pass a law repealing it absolutely. Against this assumption, the committee earnestly protest. They do not believe that the Legislative Assembly possesses any such right, and that it cannot attempt to exercise it without traveling beyond the well defined limits of its jurisdiction, and without involving an assumption of power, equally unauthorized and arbitrary.

The Miners' Bank of Dubuque was established by an act of the Legislative Assembly of the Territory of Wisconsin, approved November 30, 1836, for the term of twenty years, with the following proviso in the last section, to wit: "Provided, That if said corporation shall fail to go into operation, or shall abuse or misuse their privileges under this charter, it shall be in the power of the Legislative Assembly of the Territory, at any time, to annul, vacate and make void this charter."

The corporation created by the act referred to, is what is termed a private corporation, and can only be dissolved in four different ways, (unless the act contain an unconditional reservation of the right to dissolve it by statute, which would make the fifth.) First—by the expiration of the period of time limited for its duration; second—by surrender; third—by the death of its members; and fourth—*by forfeiture.* The Miners' Bank of Dubuque, being a private corporation, cannot, as before observed, be dissolved by statute—or, in other words, by an act of the Legislature—unless there had been an unconditional reservation of the right so to dissolve it in the charter, which is not pretended. Its time has not expired. There has been no surrender. Its members are not dead. It can therefore only be dissolved

by forfeiture, and a forfeiture of the charter can only be ascertained and enforced by judicial proceedings. The causes of forfeiture may consist either in an abuse of corporate powers, or in a neglect to use them; and, "without any express provision in the charter, either of them, when judicially ascertained, by a *scire facias* or a *quo warranto*, will authorize a court to adjudge the charter forfeited."

The committee have no means of knowing whether the Miners' Bank of Dubuque has or has not forfeited its charter by an abuse of its corporate powers or a neglect to use them. Nor do they conceive it material to the present inquiry, unless the existence of the fact of forfeiture had been duly determined by a judicial tribunal. The question is, has the Legislature the right to assume that the bank has forfeited its charter by an abuse of its privileges, and to proceed thereupon to declare it null and void? The most enlightened jurists of the age, as well as the principles of common right and natural justice, are against it. In the 2d vol. of Kent's Com. p. 306, is the following: "A private corporation, whether civil or elemosenary, is a contract between the government and the corporators, and the Legislature cannot repeal, impair, or alter the rights and privileges conferred by the charter, against the consent and without the default of the corporation, judicially ascertained and declared." The same doctrine is laid down in Walker's Introduction to American Law, and in Angell & Ames on Corporations, p. 503, and fortified by a long list of authorities there cited. Indeed the judicial decisions upon this question appear to be all one way; and there is no principle of constitutional law better settled. It follows, then, that, before the Legislative Assembly can constitutionally pass the bill referred to the committee, it must be first show that the Legislative Assembly is endowed with judicial powers, and, in addition to that, that it is invested with the high and extraordinary prerogative of sitting as a judge in its own case. That the Legislative Assembly is not invested with judicial powers, is clear, from the 9th section of the Organic Law, which vests the judicial power of the Territory in a Supreme Court, District Courts, Probate Courts, and in Justices of the Peace.

But it is contended by some that the Legislature has reserved to itself the right to repeal the charter of the Miners' Bank of Bubuque, in the proviso to the 23d section of the act, quoted above. If this proviso amounts to any thing, it is no more than a reservation to the Legislature of the right to "annul, vacate and make void the charter," upon the condition that certain facts exist, which amount to an abuse of its corporate powers, and which, if established before a judicial tribunal, would be sufficient in themselves to work a forfeiture of the charter, without any reservation in the charter at all. So that at the outside the power reserved to the Legislature would only enable it to perform the nugatory act of passing a law "annulling, vacating and making void" a charter, which had already been deprived of life by the action of a judicial tribunal. The very ascertainment of the existence of the facts mentioned in the proviso, by a judicial tribunal, would draw after it a judgment of forfeiture. It is not doubted that, if the reservation of the right to destroy the charter had been unconditional—if it

were in the usual form now adopted by us, "that this charter may be altered, amended or repealed by any future Legislature"—it would be perfectly competent in the Legislative Assembly to pass a law repealing it any time, either with or without cause; since it would have been a part of the contract that its existence should depend upon the will and pleasure of one of the contracting parties; and being so, the other party could have had no reason to complain if the charter had been revoked by the next Legislative Assembly. The corporation of the Miners' Bank of Dubuque is a contract between the Territory and the corporators; and it is a part of the contract that the Legislative Assembly may annul the charter if the corporation "shall fail to go into operation, or shall abuse or misuse its privileges." But the question presents itself, who is to determine whether the bank has failed to go into operation, or has abused or misused its privileges? Is the corporation to determine? Clearly not—because, in the first place, it is no part of the contract; and, in the second place, it would militate against the principles of natural justice to permit a party to be a judge in his own case. Is the Legislature to determine? No, and for the same reasons. It is clear, then, that the question as to whether the corporation has abused its privileges, can only be determined by a judicial investigation, where all parties can be heard, and where justice may be done.

But it is said to be notorious that the Miners' Bank of Dubuque has suspended specie payments. This is undoubtedly true; but it still requires the judgment of a judicial tribunal to determine whether a suspension of specie payments amounts to an abuse of its privileges under the charter. The bank may have lived up to the very spirit and letter of its charter, and yet have been compelled, by circumstances, to suspend specie payments.—By the 8th section of the act of incorporation, the bank is permitted to owe an amount of debts, by bond, bill, post note, or contract, not exceeding, over and above the specie actually deposited and contained in the bank, three times the sum of the capital stock subscribed and actually paid in. Under this privilege, the circulation of the bank might be very far within the prescribed limit, and yet a sudden and unexpected return of her notes would compel a suspension. Nor does the provision in the 10th section—which is as follows: "And all such bills obligatory, and of credit, and such bills, notes and post-notes, issued as aforesaid, shall be paid by the said corporation when demanded at their banking house, in the legal coin of the United States," change the view of the case here taken; because, to maintain differently, would be to contend for a construction which would make one part of the act repugnant to another, when the true legal rule is so to construe a statute that the whole, if possible, may stand. That part of the bank charter which requires payment in specie on demand, defines the legal rights and obligations of the bill holders on the one side and the corporation on the other, and relates only to the legal effect of the contract between the parties, and has no connection whatever with the question of *abuse* or *misuse* of the chartered privileges (unless the refusal to pay or the suspension is in bad faith or in fraud of the public.) The non-payment of a promissory note at maturity by an individual is not in law deemed a fraud; and it is not easy

to perceive how or upon what rule of reasoning it is any more so in the case of a corporation. This view of the subject makes one part of the act incorporating the Miners' Bank of Dubuque consistent with another, and the whole to stand good for the beneficial objects and purposes of its creation."

The petitions upon the subject of the Miners' Bank, and signed by nearly seven hundred citizens resident in that part of the Territory which is supposed to be more immediately interested in the bank, contain a prayer that the Legislative Assembly will pass a law in relation to said bank to the following effect: "That provided said bank do resume, and ever after continue the payment of specie on all her liabilities, within ninety days after the passage of this law, then and in that case the charter of said bank shall be continued and hereby receive the sanction of the Legislature of this Territory; otherwise, that the Judge of this (the third) judicial district shall be empowered to issue an injunction against said bank, and forthwith place the effects of said bank, in the hands of proper persons to be by him appointed, whose duty it shall be to proceed at once to adjust and finally settle the affairs of said bank, which shall ever afterwards cease to exist;" and remonstrating against the passage of such a law there are between two and three hundred citizens resident in the same section of the Territory. So far, therefore, as the people have signified their wishes upon this subject, by petition and remonstrance, there appears a very heavy majority in favor of the passage of a law as specified in the prayer of the petitioners. And it must be admitted that there are some reasons in favor of the prayer of the petitioners, even upon the supposition that the corporation has abused her privileges. Because it is hardly possible that, with the distrustful feeling which now justly prevails in the community towards all banks of the kind now existing, the Miners' Bank of Dubuque could inspire a degree of confidence, in regard to her circulation, which would place it in her power to fraud her bill holders, even if she were so disposed. And a resumption of specie payments by the bank would prevent those of our citizens who happen to hold any of her paper from suffering loss upon it; which, if the bank does not resume, is likely still further to decline in value. Again: It is more than probable that the suspension of specie payment by the bank was occasioned, in part, by the loans which she made to the Territory, and which, though for some time due, the Territory has been unable to meet. The committee cannot but be of opinion that the movement contemplated by the bill referred to them, comes with an exceedingly ill grace from a party to a contract which has violated its solemn engagements to the other party, and which is just as liable to be reproached with bad faith as the bank which it seeks to destroy without a hearing, without law, and without right.

The committee, however, deem it inexpedient to pass a law upon the subject of the kind prayed for by the petitioners. They are opposed to extending any Legislative sanctions to the charter, equally as they would be opposed to the passage of an act incorporating such an institution, if the original question were now before the Legislative Assembly.

The committee feel no interest in the Miner's Bank of Dubuque—they

have no partiality for suspended banks, and still less for bank paper which is not worth as much as it purports to be upon its face. If the bank has abused its privileges, it is the opinion of the committee that the charter ought to be revoked. All they insist upon is, that the bank, if she has forfeited her life to the community, should be executed according to the laws of the land, and not be sent to the "guillotine" by an arbitrary edict of the Legislature.

The committee see no necessity for excitement in this matter, and trust and believe that members have too much self-respect to suffer themselves to be hurried into the commission of a rash and unauthorized act, by the paltry "hue and cry" set up against an institution which may be regarded (so far as the exercise of her functions is concerned) as already dead, and beneath the dignity of legislative interposition, even if it had a right to interfere.

If the bank has abused her franchises, the steps proper to be adopted for depriving her of her charter are laid down in the statute, and are so plain that they cannot be mistaken.

In the 8th section of the act "relating to informations in the nature of *quo warranto*, and regulating the mode of proceeding thereon," approved Dec. 20, 1838, it is provided that "an information in the nature of a quo warranto may also be filed by any district attorney upon his own relation, or on the relation of any other person, on leave granted, and shall be so filed when the same shall be directed by the Governor, the Legislative Assembly, or the District Court of the proper county, against any corporate body, when such corporation shall have, 1. offended against any of the provisions of the act or acts creating, altering, amending or renewing such corporation; 2. whenever it shall have forfeited its privileges and franchises by non-user; 3. whenever it shall have done or omitted any acts which amount to a surrender of its corporate rights, privileges and franchises; 4. whenever it shall [illegible]misused any franchise or privilege not conferred on it by law;—and it [illegible]e the duty of the district attorney to apply for leave to file such information in every case provided for in this section, whenever he shall have good reason to believe that the same can be established by proof." It will appear from the act from which the above quotation is made, that our statute contains provisions affording an ample and speedy remedy against corporations that have abused their privileges; and, in the case before the committee the District Court for the county of Dubuque is the proper, and only proper, tribunal to try and determine the question of abuse of privileges. The view taken of this subject by the committee is strengthened (if it needed any strengthening) by the opinion of a distinguished lawyer, which is subjoined.

The committee ask the adoption of the following resolution:

Resolved, That it is inexpedient to legislate upon the subject of the Miner's Bank of Dubuque—the Legislative Assembly not having the right to repeal the charter thereof, until the fact of an abuse of privilege has been first found by a judicial tribunal.

[OPINION OF GENERAL WILSON.]

T. Davis, Esq.

Sir:—The subject of inquiry proposed to me, and upon which you ask my opinion, is embraced substantially in the following question:

"Is it competent for the Legislative assembly of the Territory of Iowa, upon its own motion, and upon facts which itself finds upon a strictly legislative hearing, to pass an act taking away the liberties, rights, privileges and franchises granted to the stockholders of the Miners' Bank of Dubuqe, and without the interposition of any judicial investigation to pass an act to deprive the stockholders of the possession of their corporate property and the management of their affairs?"

The act incorporating the stockholders of the Miner's Bank, creates a private corporation. Its funds are private, its rights are private rights.—The privileges are granted to said stockholders in their private character to be exercised according to the provisions of the charter.

The distinction between public and private corporations is very fully considered in the case of Trustees of Dartmouth College vs. Woodward.

The corporation of the Minerr' Bank is strictly a private corporation.—There is nothing in the act to show the contrary. It is declared in the act, Sec. 23d, "that *this act be and the same is hereby declared to be a public act.*" But it does not follow by any means that the corporation created by the act is a *public corporation.* It is one thing to declare a Legislative act to be a *public act* and entirely a different thing to create, by a Legislative act *a public corporation.* The character of the corporation is determined by the substantial matter of the whole act of incorporation and the material upon which it is to operate, and whether the act shall be deemed by the Legislature a public act or not.

No authority exists in the Legislature in the first instance, to regulate, control and direct in the affairs of this corporation, its funds or franchises, unless it be in the strict legal sense a public corporation—that is, where its whole interests and franchises are the exclusive property and domain of the government itself. Certainly the Miners' Bank is no such corporation.

This being a private corporation, it is subject to the application of general principles of law. I look upon the charter as a contract. The stockholders have a vested right and legal interest in the funds and franchises of the Bank, of which they cannot be deprived or divested in any way but by due course of law. It seems clear to my mind, that this comes, distinctly within the purview of the Constitutional prohibition, that acts shall not be passed by the Legislature impairing the obligation of contracts.

It may be that some attempt to find authority for Legislative action under the proviso of the 23d Sec. of the act of incorporation. It is in these words:

"Provided, That if the said corporation *shall fail to go into operation, or shall abuse or misuse* their privileges under this charter, it shall be the power of the Legislative assembly of this Territory, at any time, to *annul, vacate* and *make void* this charter." An attentive examination of this proviso does not justify any such exercise of authority as is claimed by the Legislative assembly in this case, without judicial investigation. There are three conditions set out in the proviso, viz: *Shall fail to go into operation, or shall abuse or misuse*—the occurrence of which will authorize Legislative interference—to do what? To *annul vacate and make void* the charter. The occurrence of either one of those conditions, judicially ascertained, may authorize the Legislative Assembly to *annul, vacate and make void* the charter.—The Legislature can do nothing more or beyond the annuling, vacating or making void the charter. That is all the power specifically reserved to the Legislative Assembly.

Now, it is clear, undoubted constitutional law, and even above that, it is the natural inalienable right of every citizen, that he shall not be deprived of his life, liberty, property, rights, privileges or immunities, &c., except by the law of the land and judgment of his peers. This is a high and inviolable principle upon which depends all our highest and most cherished rights and privileges. It applies to this case with full force. If the Legislative assembly attempt to pass an act depriving the stockholders of their property, in the first instance, upon their own motion, without judicial investigation, it is putting them at once out of the protection of the law by an arbitrary edict of the Legislature; it is taking away their estate, not by the law of the land, not by the judgment of the judicial tribunals, but by an absolute peremptory sentence of the Legislature.

The Legislative assembly of this Territory, let it be remarked, by the or- law is not endowed with judicial powers. (Iowa Laws, vol. 1, page 34, s. 6.)

I am still further confirmed in my opinion expressed above, from an examination of an excellent statute of this Territory authorizing a proceeding in the nature of *quo warranto* in all cases of corporations, to ascertain by what right they exercise their franchise. That act gives to the judicial tribunals of this Territory full power to examine all such cases; and in case of abuses found upon judicial enquiry, the act clothes the judicial tribunals with the necessary power of winding up the affairs of any such corporation. This is highly proper. It is the legal, constitutional way of correcting abuses. To the judicial tribunal is the corporation answerable in the first instance. Upon finding the abuse or misuse of the privileges under the charter, by the judiciary, the Legislative assembly may, if it think proper, proceed to annul, vacate and make void the charter according to the power reserved. It can do nothing more.

Yours,
JAMES WILSON.

N. B. The principles of law upon which I have founded the above opinion, may be found very fully considered in various opinions of the Supreme courts of the United States.

Cases.—Terret vs. Taylor, 9 Cranch, 43. Pawlett vs. Clark, 9 Cranch, 292. Trustees of Dartmouth College, vs. Woodward.

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